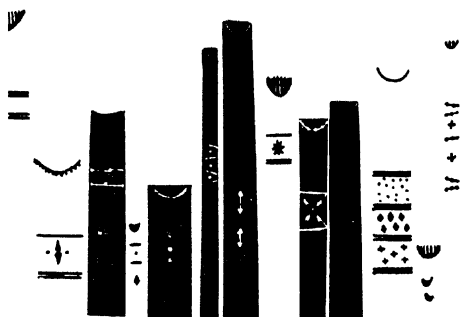




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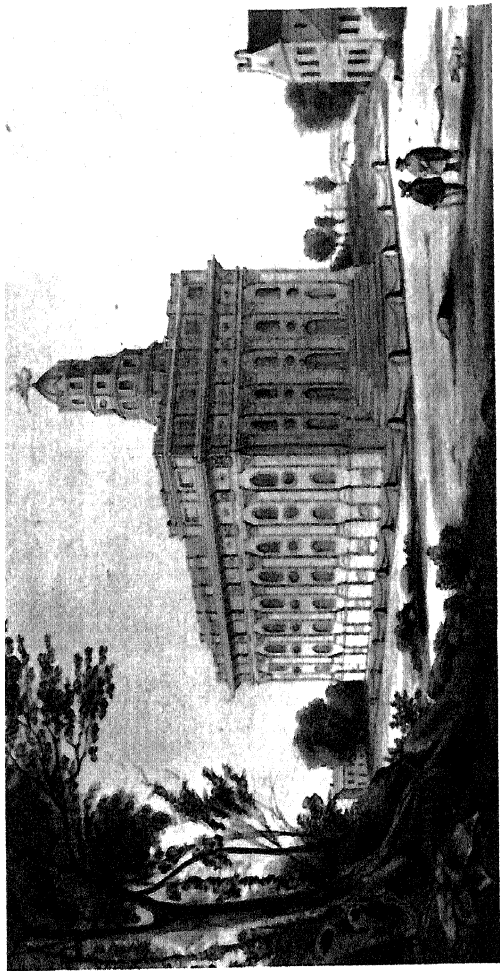
# The Lakeside Classics

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38.	War on the Detroit by Thomas Verchères de Boucherville and James Foster .....	1940
39.	Army Life in Dakota by De Trobriand.....	1941
40.	The Early Day of Rock Island and Davenport by J. W. Spencer and J. M. D. Burrows.....	1942
41.	Six Years with the Texas Rangers by James B. Gillett...	1943
42.	Growing Up with Southern Illinois by Daniel Harmon Brush.....	1944
43.	A History of Illinois, Vol. I, by Gov. Thomas Ford .....	1945
44.	A History of Illinois, Vol. II, by Gov. Thomas Ford. .	1946

# A History of Illinois







## THE MORMON TEMPLE AT NAUVOO

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The Lakeside Classics

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A History of Illinois

*from its*

*Commencement as a State  
in 1818 to 1847*

VOLUME II

BY GOV. THOMAS FORD

EDITED BY

MILO MILTON QUAlFE

SECRETARY OF

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CHICAGO

The Lakeside Press

R. R. DONNELLEY & SONS Co.

*Christmas, 1946*



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## Publishers' Preface

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THIS year's volume of the Lakeside Classics is really the unpublished half of last year's volume, and additional comments by the publishers upon the content would be superfluous. We therefore will use the space to tell our readers who are interested in the technique of bookmaking, the changes that have been made at various times in the type and paper, and also a description of the binding cloth that has been used from the beginning.

The type first used in the Lakeside Classics was Lakeside Old Style, an adaptation, designed by an officer of the company, of Caslon Old Style which was designed and cut by William Caslon of London in 1722. "This 'noble' fount," says Talbot Baines Reed, historian of English type founding, "marked a distinct turning point in the career of English typography." The Lakeside Old Style type was cast in individual characters and the typesetting was done by hand and mostly by the apprentices until 1921. It was then decided that the typesetting be done by monotype machines and the face

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## Publishers' Preface

selected for the next seven volumes was the Monotype Company's Bruce Old Style No. 31. In 1927, after the completion of the publication of twenty-five volumes of the Lakeside Classics, a study was made to see if improvements could be made in the format of the series. The Monotype company had put on the market another adaptation of Caslon Old Style, named McKellar Caslon Old Style Number 337, which was selected by the publishers because it could be read more easily and made a more pleasing page.

The S. D. Warren Company of Boston, founded in 1854, and still one of the outstanding leaders in the making of fine book papers, was chosen to make the paper for the first volume. They have made all of the papers ever since. The papers used in the earlier volumes were all rag papers, carefully milled and of high quality.

Prior to 1912 all India paper was imported from England or continental Europe. In that year the S. D. Warren Company converted one of its mills to make India paper for the India paper edition of Encyclopædia Britannica, the manufacture of which had been transferred from England to The Lakeside Press. After the Warren Company was well experienced in the making of India paper they developed for the use of the Lakeside

## Publishers' Preface

Classics a special India paper, which has been used ever since. The surface texture and opacity of this paper are the direct results of specially selected fibers, imported from abroad, special type of paper machine felts, a fine mesh wire, and the slow speed of the paper machine.

The cloth used for the cover is also a special product. The extra cloth number 41 dyed vellum cloth is made especially for the Lakeside Classics by the Interlaken Mill at Fisherville, Rhode Island. The cloth is distinctive in that a special quality of gray goods is used, and also because the color is applied in many thin coats in the same manner as it was done on an old-fashioned paint job. There are fifteen different handlings in the manufacture of the cloth up to the winding operation.

The publishers are thankful that there is a manufacturer of paper and a manufacturer of binding cloth who have contributed so greatly to the maintaining of the high quality of the Lakeside Classics.

The year 1946 has been a trying year to printers. During the war the demand for more books, more magazines, and more general printing was far beyond the facilities of The Lakeside Press. Along with these temporary demands was the demand for adequate

## Publishers' Preface

capacity after the war was over. To meet the situation, the company is building an additional plant, of 400,000 square feet of floor space to make room for operating new machinery, and is also increasing the plant at Crawfordsville, Indiana. In spite of these demands, the company has found a way to produce the 1946 volume of the series, and with it goes to our readers the wishes for a merry holiday and a happy 1947.

THE PUBLISHERS.

Christmas 1946

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## Chapter 8

CIVIL AND RELIGIOUS DISCORD  
1841-1842

**B**Y the year 1840 the whole State had been settled except some of the wide prairies far from timber. There was no longer any more wilderness. The country in Henry county, though as good as any other part of the State, I believe was the last to be settled in 1838. Several colleges and academies had been built and were in successful operation. The Illinois college at Jacksonville under the direction of the Presbyterians was built by an association of gentlemen of Boston. Shurtleff college at Alton was established under the direction of the Baptists; McKendree college at Lebanon under direction of the Methodists; and McDonough college at Macomb and Knox college at Galesburg were established also by the Presbyterians. The Catholics established a flourishing nunnery at the ancient town of Kaskaskia for the education



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of females; Bishop Chase, with the aid of contributions from the members of the Episcopal church and others, established Jubilee college in Peoria county; and the Methodists established a flourishing seminary at Mount Morris in the county of Ogle. Besides these there were numerous academies and high schools in many parts of the State. Opportunities for education in the higher branches were good for all who were able and willing to profit by them. Common schools flourished in many places, more than could have been expected when all efficient encouragement to them had been abandoned by the Government.

Chicago, Alton, Springfield, Quincy, Galena, and Nauvoo had become cities before the year 1842. To these has since been added the city of Peoria. Most of the county seats had grown up to be towns of from five to fifteen hundred inhabitants; and there were many other villages in many of the counties containing a population of from one hundred to a thousand souls. The towns contained a good deal of intelligence, polish, and eloquence. It must not be thought that the people of this new country had just sprung up out of the ground with no advantages of education and society. They were nearly all of them emigrants from the old States, being often the most intelligent and enter-

## Civil and Religious Discord

prising of their population. As such, they were just a slice off of the great loaf of the old States. But they were not apt to be so considered by the latest comers. These always imagined that they were come to a land of comparative ignorance and that they must necessarily be superior to the people already here, until they were convinced to the contrary by finding out that their pretensions had made them ridiculous; and if their pretensions were noticed at all, it was only to be laughed at. It was no uncommon thing to find families of these last new comers scattered all over the country, forever complaining of the want of good society; and of the many privations they endured in a new country. These complaints were uttered not so much because they were true as to let the people know that those who made them were *somebodies* where they came from. The same kind of people, to show themselves off as something superior to others, were forever uttering sarcasms and slighting remarks of the State and the people. It was no uncommon thing to find them in all the taverns, stage-coaches and steamboats *letting on* that although their destiny compelled them to live in the State, yet they knew how degraded the rest of the people were as well as he who resided in a city, or lived in a palace. Indeed, the bodies only of a great many

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people and not their minds lived in the State. It was difficult to forget the father-land. Most of the emigrants remembered New York or New England or their other places of nativity with affection and lively interest. A man from Massachusetts took a newspaper from his native town, he watched the progress of politics, the success of men and parties, and the history of government there with as much interest as if he had never removed. And so of the emigrants from other States. It was natural it should be so. But whilst it was so it is to be feared that matters suffered at home. There was but little State pride for Illinois. Illinois could be abused anywhere with impunity. I hope yet to live to see the day in Illinois as it is in Kentucky, Virginia, Tennessee, South Carolina, New York, and New England, that no one will be suffered to abuse the State without being scorned and insulted. It is true that a State pride must be deserved before it can exist. The people must have something to be proud of. The State will never really prosper without this State pride. It is the greatest incentive to excellence in government and in everything else for the people to be proud of their country.\*

\*It seems to me that the people of Illinois may now justly be proud of their State. They have with great

## Civil and Religious Discord

As new people came in they brought with them their religion and literature. Churches now began to be rapidly established in the towns and in many country places. Pastors were regularly settled and paid; church buildings were erected, divided off into pews, and the sound of the "church-going bell" began to be heard. It soon became fashionable to attend some church, and constant attendance induced many to join as members.

During the previous period of our history our literature was principally confined to mere newspaper writing, which discussed

unanimity put down the hideous monster of repudiation; contrary to the instigations of numerous demagogues they have submitted cheerfully to be taxed to pay their just debts; they are about to see their canal, one of the greatest works in America, completed. Their legislatures have improved in knowledge, public spirit, and patriotism ever since 1840; which was about the darkest time in public affairs. And when the services of her sons were called for in the Mexican war 8,370 of them in a few weeks answered the call, though only 3,720 (four regiments) could be taken. Every one of these regiments afterwards distinguished themselves for unheard-of courage in the severest battles ever fought on this continent. Hardin, Bissell, Weatherford, Morrison, Trail, Warren, are proud names associated with the glorious victory of Buena Vista. Shields, Baker, Harris, Coffey, and others will be remembered as long as the capture of Vera Cruz or the storming of Cerro Gordo are remembered. What did Kentucky ever do more than this?

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mostly the mere affairs of party or the claims of some man to an office; or the demerit of an opponent. John M. Peck of Rock Spring in St. Clair county published a State Gazetteer, a work of considerable labor and well written. John Russell of Bluff Dale published some fugitive essays and tales in the newspapers which marked him as a man of genius and a fine writer; and Judge James Hall early distinguished himself as a scholar and writer. He published at Vandalia an Illinois monthly magazine of high merit; and an annual called *The Western Souvenir*, a collection of original tales and poetry written principally by himself, evincing such merit as to make him distinguished all over the United States as an author. But there was not sufficient patronage in Illinois at that time for the pursuits of literature; so Judge Hall removed to Cincinnati, where he now resides. But before he left Illinois he had acquired a high reputation as a writer.<sup>1</sup>

<sup>1</sup>John M. Peck established a Baptist mission in St. Louis in 1817. In 1822 he removed to Illinois, where the remainder of his life was spent. He assisted in founding the Rock Spring Seminary in 1827. In 1835 he raised \$20,000 in the East for it, half of the sum being given by Benjamin Shurtleff of Boston. Soon after this the school was removed to Upper Alton and named Shurtleff College. Peck was an inveterate promoter of schools and publications, his *Gazetteer of Illinois*, first

## Civil and Religious Discord

The great plenty of money brought here by the work on the canal and the railroads set up a great many merchants all over the country in business; it increased the stocks of goods brought to be sold; created unnatural competition amongst the merchants to sell, who were forced to sell on a credit or not at all. The people were encouraged to buy on credit and when their debts became due, for want of money to pay them they gave their notes to the merchants with twelve per cent interest, which the reader will observe hereafter was the cause of some strange legislation on the collection of debts, and caused the reduction of the rate of interest to six per cent. Until the year 1833 there had been no legal limit to the rate of interest to be fixed by contract. But usury had been carried to such an unprecedented degree of extortion and oppression as to cause the legislature to enact severe usury laws, by which all interest above twelve per cent was condemned. It had been no un-

issued in 1834, being but one of numerous publications. For Daniel H. Brush's experience as a pupil of Peck see *Growing Up With Southern Illinois*, the Lakeside Classics volume for 1944, pp. 63-64. For James Hall, see *ibid*, 65 and *Dictionary of American Biography*. On John Russell, see Brush's volume, 42-43. An interesting account of Prof. John Russell is printed in Ill. State Hist. Soc. *Journal*, IV, 172-77 (July, 1911).

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common thing before this to charge one hundred and one hundred and fifty per cent, and sometimes two and three hundred per cent. But the common rate of interest by contract had been about fifty per cent.

In the year 1839 the people called Mormons came to this State and settled in Hancock county, and as their residence amongst us led to a mobocratic spirit which resulted in their expulsion it is proper here to notice other incidents of this sort in our previous history.

In 1816 and '17, in the towns<sup>2</sup> of the territory, the country was overrun with horse-thieves and counterfeiters. They were so numerous and so well combined together in many counties as to set the laws at defiance. Many of the sheriffs, justices of the peace and constables were of their number; and even some of the judges of the county courts; and they had numerous friends to aid them and sympathize with them, even amongst those who were the least suspected. When any of them were arrested they either escaped from the slight jails of those times or procured some of their gang to be on the jury; and they never lacked witnesses to prove

<sup>2</sup>Probably a misprint, which because of uncertainty as to the intended meaning we have not ventured to correct.

## Civil and Religious Discord

themselves innocent. The people formed themselves into revolutionary tribunals in many counties under the name of regulators; and the governor and judges of the territory, seeing the impossibility of executing the laws in the ordinary way against an organized banditti who set all law at defiance, winked at and encouraged the proceedings of the regulators.

These regulators in number generally constituted about a captain's company, to which they gave a military organization by the election of officers. The company generally operated at night. When assembled for duty they marched, armed and equipped as if for war, to the residence or lurking-place of a rogue, arrested, tried, and punished him by severe whipping and banishment from the territory. In this mode most of the rogues were expelled from the country; and it was the opinion of the best men at the time that in the then divided and disorganized state of society and the imperfect civilization which required such proceedings, these measures were not only justifiable, but absolutely necessary for the existence of government.

There yet remained, however, for many years afterwards a noted gang of rogues in the counties of Pope and Massac and other counties bordering on the Ohio river. This



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gang built a fort in Pope county and set the government at open defiance. In the year 1831 the honest portion of the people in that region assembled under arms in great numbers and attacked the fort with small arms and one piece of artillery. The fort was taken by storm with the loss of one of the regulators and three of the rogues killed in the assault. The residue of the rogues were taken prisoners and tried for their crimes, but I believe were never convicted.

At a later time a number of rogues who had located themselves in the county of Edgar were broken up, whipped and expelled by a company of regulators from the Wabash valley, the present Governor French being a distinguished member of the regulators.

In 1837 a series of mobs took place in Alton which resulted in the destruction of an abolition press and in the death of one of the rioters and one of the abolitionists. This affair has made a great noise in the world and is deserving of a more extended notice. It appears that the Rev. Elijah P. Lovejoy of the Presbyterian church had attempted to publish an abolition paper in St. Louis but his press had there been destroyed by a mob and he himself had been expelled from the city.

Mr. Lovejoy now determined to remove his establishment to Alton. The press for

## Civil and Religious Discord

this purpose was landed on Sunday, but during that night was thrown into the river by the citizens. There was much excitement on the subject and a public meeting was called on Monday evening to be held in the Presbyterian church, which was attended by an immense concourse of people.

Mr. Lovejoy first addressed the meeting. He said he came to Alton to establish a religious newspaper. He was pleased with the place, and wished to remain; there most of his subscribers resided in Illinois; and it would best suit his purposes and theirs that he should do so. He disliked St. Louis and he disliked slavery. He regretted that he had met with such a reception at Alton; he presumed that the people had misconceived his object. He was no abolitionist; he believed the abolitionists were injuring the colored race; he had repeatedly denounced them and had been himself denounced by Garrison and others as being in favor of slavery, because he was unwilling to go with the abolitionists in favor of all their measures. He was opposed to slavery to be sure; he had ever been and hoped he always would be opposed to it, and he wished to get away from the evil of it. Whilst at St. Louis where slavery existed he felt bound to oppose it. For so doing his press had been mobbed and

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himself insulted. He had resolved to come to a free State, and he thanked his God that he was now removed from slavery. He could now publish a religious newspaper without meddling with the subject of slavery; he could entertain his opinions, but being removed from the evil, he would have no cause to express them. Indeed, said he, it would look like cowardice to flee from the place where the evil existed and come to a place where it did not exist to oppose it.

The people understood this to be a pledge of Mr. Lovejoy that he would not mingle the question of slavery with the discussions in his paper; and upon this condition he was permitted to set up the *Alton Observer* without opposition.<sup>3</sup> Time rolled on: the paper extended its circulation, but solely as a religious paper heralding the peaceful gospel of the blessed God, which is peace on earth and good-will to men. After some time slavery was very moderately referred to, and then

<sup>3</sup>Historians of the period seem still uncertain whether Lovejoy ever made such a pledge. He himself denied doing so, as Governor Ford states in his succeeding paragraph. Pease (*The Frontier State*, 367) refers to it as a "supposed pledge," while the *Dictionary of American Biography* states that at the public meeting of the citizens of Alton he "promised to edit his paper in the interest of the church alone."

## Civil and Religious Discord

denounced. Soon after, the paper became moderately abolitionist. Next, some of the most respectable citizens were denounced as being in favor of slavery, and held up to public scorn because they dared to speak their opinions of the abolitionists; and ultimately, in the course of a year, it became decidedly an abolition paper of the fiercest sort and religion was pressed into its service as a mere incident and auxiliary to the main cause of abolitionism.

The mob spirit of Alton became aroused. The people thought that they had nurtured a viper to bite them and destroy their peace. The pledge of Mr. Lovejoy was remembered. He was urged by his friends to desist from his course, but no consideration could shake his inflexible resolution. He only became more violent and his denunciations more personal. A public meeting was called to induce him, by peaceable means if possible, to return to his original pledge. A committee was appointed to wait on him and call his attention to his original promises. He denied making such promises and contended for the freedom of the press and his right to unbounded liberty as one of its conductors. He read to the committee a long homily on mobs; and appeared to think that the action of a mob, by creating sympathy for him,

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would spread his renown and immortalize his labors. The positive denial of a minister of the gospel of what hundreds had heard him declare increased the rage of the people, which was blown into a consuming fury by a letter which appeared in the *Plain Dealer*, in which the leading men of Alton were denounced because they did not throw themselves into the breach and protect Mr. Lovejoy at the risk of their lives in conducting a press employed to vilify themselves, and to support a cause which they believed to be fraught with injury to all concerned. The people assembled and quietly took the press and types and threw them into the Mississippi.<sup>4</sup> It now became manifest to all ra-

<sup>4</sup>Readers of Governor Ford's narrative should note that he strongly disapproved of the Abolition movement and, consequently, of the course taken by Lovejoy. For a comprehensive presentation of the subject by a capable modern historian see Theodore C. Pease, *The Frontier State, 1818-1848*, Chap. XX. Although men might, and still may, honestly differ over the wisdom of the Abolition movement, Lovejoy, by becoming its early martyr, established a permanent place for himself in American history. His murder, observed Pease in 1918, "was not a thing done in a corner; it trumpeted the ill-fame of Alton to the ends of the United States and placed on the name of the city that aspired for commercial prominence a brand that has scarcely been removed up to the present time." Today (1946) a movement is underway, sponsored by such men as

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tional men that the *Alton Observer* could no longer be published in Alton as an abolition paper. The more reasonable of the abolitionists themselves thought it would be useless to try it again. However, a few of them who were most violent seemed to think that the salvation of the black race depended upon continuing the publication at Alton. They called a private meeting to consult, into which were admitted Messrs. Godfrey and Gilman and the Rev. Mr. Hogan, who were not abolitionists. All expressed their opinions. Some were for re-establishing the press and sustaining it at all hazards. Others

Herbert Hoover and Robert R. McCormick, to raise a fund of \$300,000 for the establishment of a Lovejoy Memorial at Colby College (from which Lovejoy graduated) and the endowment of a chair of journalism, honoring his struggle in support of the liberty of the Press. Indicative of the contemporary anti-abolition sentiment in Illinois is the fact that the General Assembly of 1837 passed some violent resolutions denouncing abolition; these received the unanimous vote of the Senate and all but five votes of the House of Representatives. Two of the five dissenters, Abraham Lincoln and Dan Stone, later in the session entered upon the House *Journal* their formal protest against the resolutions, declaring slavery to be an evil, although they disapproved of the abolition agitation. "In view of the increasing rage against abolitionism rising in the state; and even more in the country at large," remarks Pease (*The Frontier State*, 364), "the men who signed this document took their political future in their hands."

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thought it would be madness to make the attempt, and they believed that the efforts already made had come near destroying the religious feeling of the community and breaking up the peace and harmony of the churches. Mr. Lovejoy complained that Mr. Godfrey, who was a leading Presbyterian, and the Rev. Mr. Hogan had declared that if the *Observer* were again established they could do nothing to protect it from the mob; but he forgot to state that these gentlemen could not recognize as the cause of God that which had done so much evil. They had seen the effect of abolitionism in the slave States, where, instead of breaking the fetters of the slave it had increased their strength and severity. They conscientiously believed that abolitionism was wrong—they could not risk their lives in its defence.

The majority, however, determined to re-establish the *Observer* as an abolition paper; and as preparatory thereto they put out a call for a convention to be held in Upper Alton on the 26th of October, 1837, of all such persons in Illinois as were opposed to slavery, and in favor of free discussion. The convention assembled; and although the call was for all persons opposed to slavery, yet an attempt was made to exclude all who would

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not avow themselves to be abolitionists, all others being set down as opposed to free discussion. The trustees of the Presbyterian church would not allow it to assemble in their place of worship unless all were allowed to come who were opposed to slavery. This was finally acceded to, and many such took seats in the convention. A committee was appointed to prepare business and in the afternoon the Rev. Mr. Beecher, then President of Illinois College, was to preach a sermon before the convention.<sup>5</sup> The committee of two abolitionists and one opposed to them made a majority and minority report and President Beecher held forth in a violent harangue against slavery. Mr. Beecher was a man of great learning and decided talents; but he belonged to the class of reformers who disregard all considerations of policy and expediency. He believed slavery to be a sin and a great evil, and his indignant and im-

<sup>5</sup>Rev. Edward Beecher, for whom see *Dictionary of American Biography*. He was a member of the talented Beecher family, a brother of Rev. Henry Ward Beecher and of Harriet Beecher Stowe, author of *Uncle Tom's Cabin*. In addition to fighting with pen and tongue, Beecher joined the guards who defended the press in the warehouse the night before Lovejoy was killed. His *Narrative of Riots at Alton*, published in 1838, is an important contemporary source of information upon the subject.



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patient soul could not await God's own good time to overthrow it by acts of His providence working continual change and revolution in the affairs of men. He contended that slavery was wrong, sinfully and morally wrong, and ought not to be borne with an instant. No Constitution could protect it. If the Constitution sanctioned iniquity the Constitution was wrong in the sight of God and could not be binding upon the people of this country. For his part, he did not sanction the Constitution. It was not binding on him; and whilst it tolerated slavery it could not be. Several other speeches of a like nature were made on the same side, which were answered by Usher F. Linder, the Attorney General, and by the Rev. Mr. Hogan.

The next day an abolition society was secretly formed at the house of the Rev. Mr. Hurlbut in Upper Alton, believed to be the first ever formed in Illinois. Mr. Beecher was appointed to preach in the Upper Alton Presbyterian church on the following Sunday. Here his lectures against slavery were continued until Monday evening. No outbreak had taken place, and Upper Alton was looked upon as conquered. This encouraged a similar effort in the main city on the bank of the river. Accordingly it was announced that on Tuesday Mr. Beecher would deliver

## Civil and Religious Discord

the same lectures in Lower Alton which he had delivered in the upper town. On this day another abolition press was expected to arrive in a steamboat. The abolitionists announced that they were organized with a company of forty men armed with muskets, fully determined and prepared to defend it at every hazard. The people, in a high state of excitement, flocked to the river in great numbers. The steamboat came but no press was on board. The evening approached. Mr. Beecher was to deliver his address. The abolitionists assembled at the church under arms. Armed to the teeth with muskets and other deadly weapons, they were seen wending their way to the house of God; and at the close of the service, as the people returned to their homes, the moonlight was reflected from the swords and guns of fifteen members of the church, stationed in the vestibule. Such was religion when made the mere ally and auxiliary of fanaticism. This was too much. Men could not endure such an outrage. I do not apologize for mobs, all of which I would crush forever in every part of this free country. But no language can be loaded with sufficient severity for the fanatical leaders who, by their violence, by their utter disregard of honest prejudices, drove a peaceful community to a temporary in-

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sanity and to the commission of enormous crimes.<sup>6</sup>

On Wednesday was to be observed that peculiar calm which indicates an approaching storm. The sayings and doings of Tuesday were talked over. Many who before had taken no part were now active on the side of the mob. Indignation blazed on every face. As no outbreak had yet occurred the abolitionists believed that they had triumphed. In a secret meeting they determined to re-establish the press at the point of the bayonet. The people could not bear such threatenings, and now the waves of excitement rolled to the height of mountains. The Rev. Mr. Hogan, in taking the side he did, retained considerable power with the populace. He was appealed to, to allay the threatening storm. He called twenty or thirty of the most moderate on each side to a meeting at his countinghouse. One party seemed willing to compromise matters and bring about an adjustment. Mr. Beecher, at the head of the other, was unwilling to make the slightest

<sup>6</sup>Something, no doubt, may be said in support of Governor Ford's argument; yet members of the Mormon Church can hardly desire, or themselves frame, a more powerful defense of the action of Joseph Smith in destroying the press of the Nauvoo *Expositor*, described in Chapter X.

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concession. He contended for all their abstract rights and demanded all the guarantees of the government and the Constitution at the same time that he and his friends were contending for their right to trample upon both. He invoked the Constitution for his protection. He wanted others to be bound by it, whilst he refused to render it obedience himself. He insisted that all that he claimed should be awarded, to the slightest particular. He would retract nothing, compromise nothing, and no consideration could induce him to accede to other terms. In all this Mr. Beecher displayed that heroic obstinacy which, when accompanied by good sense and powerful talents and working with the natural current of events, has overthrown governments and systems and revolutionized the moral and almost the physical world. But here it was exerted in a cause which could not succeed, at least at that time. This meeting was about to adjourn when it was proposed and resolved to appoint a committee to devise and report some means of adjustment to a meeting to be held next day at 2 o'clock.

The committee met and it was stated to be impossible, after what had transpired, for Mr. Lovejoy to continue his paper. A resolution was passed proposing any other edi-

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tor, and for Mr. Lovejoy to seek some other field of labor, which was reported to the meeting next day. It is believed that Lovejoy himself would have acceded to this arrangement, but not so with Mr. Beecher and his other friends. Pride and obstinacy were both aroused to demand a triumph in which principle was less considered than victory. Had they made the least concession the scene which followed, resulting in the death of two human beings, would probably never have taken place. The hour of two having arrived, the people assembled in the court-house and the committee, by their chairman, made their report, one calculated to still the troubled elements. Mr. Linder made some remarks calculated to restore peace, and prepared the large meeting then assembled to calmly consider the exceedingly serious matters then before them.

Mr. Lovejoy now arose and commenced his speech, which was very mild and affecting, in which he deprecated the action of the meeting and the report of the committee. He said he had thought of leaving Alton and going elsewhere, but a voice came to him from the east urging him to remain; here he would stay; he could not leave his post without being pursued by the Spirit of God to his destruction. The people might mob him

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or do anything they pleased; he could not and he would not be driven away; he would live there and die there. The Spirit of God urged him to contend for his rights and for a holy cause. He denied that he had ever given any pledges and called on Mr. Hogan to sustain him in this denial. He never had yielded his rights (he had forgotten his flight from St. Louis), he never would yield them, and he would die contending for them.

Mr. Lovejoy closed his remarks in a state of great excitement and the meeting was quite in an uproar, when Mr. Hogan rose and endeavored to throw some oil on the troubled waters. He said that the meeting had been convened not to consider each man's abstract rights, but to inquire into the doctrine of expediency, and how far we could relinquish the plea of right for the sake of peace. The great apostle had said, All things are lawful for me; but all things are not expedient. If Paul yielded to the law of expediency would it be wrong for them, for Mr. Lovejoy also, following his example? The Spirit of God did not pursue Paul to his destruction for thus acting; but, on the contrary, had commended his course. Paul had never taken up arms to propagate the religion of his master nor to defend himself against the attacks of his enemies. The

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people of Damascus were opposed to Paul, but did he argue with the populace the question of his legal rights? Did he tell them that he was a Roman citizen and would do and say what he pleased? Did he say, I am a minister of Christ and must not leave the work of my master to flee before the face of a mob? No; he quietly let himself down in a basket outside of the wall and departed for another field of labor. And God commended and blessed him for his wisdom and humility. Mr. Hogan expressed himself strongly in favor of peace and hoped all present would yield something of their determinations to secure it.

The Rev. Mr. Graves next addressed the meeting. He wished to allude to the pledge of Mr. Lovejoy, so much spoken of. Mr. Lovejoy had never given such a pledge; he could not give it, and he appealed to Mr. Hogan to bear him out in the assertion. He commended Mr. Lovejoy for his firmness; he could make no compromise; it was in vain to propose one.

Mr. Hogan then repeated what Lovejoy had said at the first meeting. Mr. Graves admitted that Lovejoy had made such statements, but they were not binding. Mr. Lovejoy was not an abolitionist at the time, nor was he himself one then. Since that

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time God had opened their eyes to see the great wickedness of slavery. They now felt it a duty to oppose it. If they had given such a pledge they had sinned against God, and ought to repent of it and forsake it. Their decision was unalterably made; they might die, but they could not compromise the performance of duty.

By such specious arguments many good men frequently delude themselves. These men had worked themselves up to a most heroical resolution, and indeed a generous mind finds much to admire in their inflexible obstinacy. It was the self-sacrificing spirit of the martyr and the patriot; and although we may disagree with them, we cannot withhold our admiration from men who are nobly wrong whilst we despise him who is meanly right.

The abolition press was expected to arrive next day after this meeting, but it did not come. An outbreak was now confidently looked for; all business was suspended; nothing was talked of among the populace but the efforts of the abolitionists. These last armed themselves, formed a military company, and elected their officers; and they mounted guard every night in expectation of the arrival of the boat from below with the fatal press. This great matter of discord



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arrived on the next Monday night and was removed on Tuesday morning to the stone warehouse of Godfrey, Gilman & Co., where its friends were assembled with arms to guard it. On Tuesday every one knew of its arrival, and the citizens were goaded on to madness by the taunts and threats of the abolitionists. They were told that they dare not touch the press, that powder and lead were not mere playthings, that the abolitionists were now organized by authority and were supplied with thirty rounds of cartridges, and that the mob should feel their virtue. These threatenings were doubtless made against the wishes of the leaders, but they served powerfully to augment the spirit of rebellion.

Towards evening the excitement in the city had reached a pitch which made it evident to all that a violent struggle was soon to come, and blood be shed. The press was in the warehouse; the abolitionists and some others who were not abolitionists were assembled with powder and ball to defend it unto death. Between nine and ten o'clock on Tuesday night a mob assembled in front of the warehouse and demanded the press to be given up to them. The night was clear and beautiful, the moon not quite risen, but so clear and bright was the sky that both

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parties were distinctly visible during the parley. All creation seemed to smile, and everything seemed divine but man, who that beautiful night was converted by his raging and surging passions into a demon of obstinacy on the one side, and of destruction on the other. The assailed party returned for answer that they were well provided with arms and ammunition and would defend the press to the last extremity. The house was then assailed with a shower of stones and the mob endeavored to carry it by storm. Some one in the building fired from the second story. This shot was fatal to a young man by the name of Bishop, producing almost instant death. Some of those in the house afterwards stated that this first shot was fired by Lovejoy. Be this, however, as it may, the result was terrible; for as the populace bore the young man away loud and bitter were their imprecations, and the death of all in the house was boldly threatened by the mob.

Some went to the magazine for powder to blow up the building; others procured ladders to set the roof on fire; but by far the greater number retired to the neighboring grog-shops to re-enforce their courage; and then returned to the assault with their hot blood made hotter still by the power of intoxication. The bells of the city were loudly

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rung and horns were blown to assemble yet a greater multitude. Armed men everywhere came rushing to the scene of action. Some were urging on the mob and others sought to allay the tumult.

The ladders were placed on the vacant space on the southern side of the building; one man mounted with a torch to fire the roof. There were no windows on this side from which the party within could fire at him as he ascended. At this time Mr. Lovejoy came from the door fronting the river, around the corner of the building, and fired at the crowd. His shot did not take effect and he instantly retreated into the building, where he urged his companions on to an attack, and upbraided them for their cowardice in refusing. A young man by the name of West, seeing the building on fire, ascended the ladder with a bucket of water and extinguished the flames. Whilst he was so engaged Mr. Lovejoy again made his appearance from the same place, again fired without effect, and returned to the building. Meanwhile, several guns were fired by the mob and several by the party in the house through the windows, but all without effect on either side.

The mob still increased. The ferocity grew upon it in proportion to the increase

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of its numbers and strength. Another attempt was made to fire the house, when Mr. Lovejoy and one of his companions made their appearance from the same door. The former shots from that quarter had drawn attention to this door and when the figures of two men were seen to emerge from it, one of them to raise his gun to fire again, they were fired upon by the mob with fatal precision; one of them being wounded in the leg, and the other, the Rev. Mr. Lovejoy, mortally; having only time to exclaim, "My God! I am shot!" before he expired. With the fall of the chief or master spirit the sinking courage of his party seemed utterly to die away. A general firing was now kept up by the mob; the roof of the building was in flames, and the party within seemed to expect nothing less than utter destruction. In this extremity they were induced to surrender the obnoxious press. They were permitted to make a hurried escape down the river bank, their retreat being accelerated by several guns fired over their heads. The press was again thrown into the river.

After the violence of feeling had somewhat subsided both parties were indicted for their crimes arising out of these transactions and all were acquitted; making it a matter of record that in fact the abolitionists had not

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provoked an assault; that there had been no mob; and that no one had been killed or wounded.

Previous to the year 1840 other mobs were rife in the northern part of the State. The people there had settled without title upon the public lands of the United States, which were then neither surveyed nor in market, and they had made valuable improvements on these lands by building mills worth ten thousand dollars, opening farms, frequently of four or five hundred acres, and whole villages of six or eight hundred inhabitants were built on them. By a conventional law of each neighborhood the settlers were all pledged to protect each other in the amount of their respective claims. But there were mean men who disregarded these conventional arrangements. Such as these belonged to that very honest fraternity who profess to regulate all their dealings by the law of the land. Such men had but little regard for public opinion or abstract right; and their consciences did not restrain them from jumping a neighbor's claim if they could be sustained by law and protected against force. It soon became apparent to every one that actual force was the only protection for this description of property. And although the most of the settlers were from

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the eastern States; from the land of steady habits, where mobs are regularly hated and denounced, and all unlawful fighting held in abhorrence; yet seeing themselves left without legal protection and subject to the depredations of the dishonorable and unscrupulous they resolved to protect themselves with force. Many were the riots and mobs in every county arising from this state of things. Every neighborhood was signalized by some brawl of the kind. The old, peaceful, staid, puritan Yankee walked into a fight in defence of his claim or that of his neighbor just as if he had received a regular backwoods education in the olden times. It was curious to witness this change of character with the change of position, in emerging from a government of strict law to one of comparative anarchy. The readiness with which our puritan population from the East adopted the mobocratic spirit is evidence that men are the same everywhere under the same circumstances. That which any man will do depends more upon his position upon the laws and government, and upon the administration of the laws, than to mental or physical constitution or any peculiar trait of character or previous training.

Then again the northern part of the State was not destitute of its organized bands of

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rogues engaged in murders, robberies, horse-stealing, and in making and passing counterfeit money.<sup>7</sup> These rogues were scattered all over the north; but the most of them were located in the counties of Ogle, Winnebago, Lee, and De Kalb. In the county of Ogle they were so numerous, strong, and well-organized that they could not be convicted for their crimes. By getting some of their numbers on the juries, by producing hosts of witnesses to sustain their defence by perjured evidence, and by changing the venue from one county to another, and by continuances from term to term, and by the inability of witnesses to attend from time to time at a distant and foreign county they most generally managed to be acquitted. At the spring term, 1841, seven of them were confined in the Ogle county jail for trial. The judge and the lawyers had assembled at the little village of Oregon preparatory to holding the court. The county had just completed a new courthouse, in which court was

<sup>7</sup>For a modern account of this era of crime and violence see M. M. Quaife, *Chicago's Highways Old and New* (Chicago, 1923), Chap. XI. Edward Bonney's contemporary narrative, *The Banditti of the Prairie or the Murderers' Doom* (Chicago, 1850) presents the story of a detective who was active in tracking the outlaws, and is provided with perhaps the most lurid title page ever published in America.

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to be held for the first time the next day. The jail stood near it, in which were the prisoners. The rogues assembled in the night and set the court-house on fire in the hope that as the prisoners would have to be removed from the jail they might in the hurry and confusion of the people in attending to the fire make their escape. The whole population were awakened at a late hour of a dark and stormy night to see the lurid flames bursting from the roof and windows of their newly-erected temple of justice. The building was entirely consumed, but none of the prisoners escaped.

This produced a great excitement in the country, three of the prisoners were tried, convicted, and sent to the penitentiary for a year. But they managed to get one of their confederates on the jury, who refused to agree to a verdict until the eleven others had threatened to lynch him in the jury room. The other prisoners obtained changes of venue and were never convicted. They all broke out of jail and made their escape. The honest and substantial portion of the people were now determined to take the law into their own hands; they were determined that delays, insufficient jails, changes of venue, hung juries, and perjured evidence should no longer screen the rogue from punishment.



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And here it is to be remarked that the new counties, such as Ogle, were so poor in revenue and so much in debt, their orders at so great a discount, that they were not able to build good jails; and the other counties which had them refused to receive prisoners from the new counties unless the cost of their keeping were paid in advance. The people formed themselves into regulating companies both in Ogle and Winnebago counties, and proceeding in a summary way they whipped some of the most notorious rogues and ordered others into banishment. Amongst those who had been ordered away were the family of the Driscolls,—the old man and several of his sons. The old man and some of his sons had been in the Ohio penitentiary and made their escape from it. The old man was a stout, well-built, hardened, deliberate man, and his sons had more than common boldness in the commission of crime. This family were determined not to be driven away, and to this end they and several of their confederates held a private meeting in which they resolved to strike terror into the regulators by threatening death to all the leading men in their ranks and by assassinating their captain. Some of the Driscolls went to the house of Capt. Campbell, who was a captain of the regulators, just after dark of

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a Sunday evening, just as the family had returned from church, and pretending to be strangers inquiring their way they called Capt. Campbell out into his door-yard and there deliberately shot him dead in the presence of his wife and children. Before day next morning the news of the murder had run over the country like lightning. The people early assembled at the house of the murdered man in White Rock Grove in great numbers; and there, seeing the dead victim of this secret assassination, his blood yet fresh upon the ground, his wife and children in frantic agony, they were thrown into a wild uproar of excitement and frenzy, somewhat like that which seizes upon a herd of cattle upon seeing and scenting the blood of a slaughtered bullock. They spread out all over the country in search of the murderers. The actual murderers who had done the deed had escaped, but they seized upon the old man Driscoll, and the people of Winnebago county, coming down next day afterwards, had seized upon two of his sons. The prisoners were taken to Washington Grove in Ogle county for trial. The old man and one of his sons were convicted as being accessories to the murder and the other was acquitted. The trial occupied nearly a whole day before the whole band of regulators,

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composed of about three hundred men, many of them being magistrates and some of them ministers of the gospel; and is described as having been conducted with much solemnity and seriousness. The condemned were sentenced to be shot within an hour; a minister of the gospel who was present prayed with them and administered to them the consolations of religion; and then they were brought out for execution. They were placed in a kneeling position with bandages over their eyes, and were fired upon by the whole company present, that there might be none who could be legal witnesses of the bloody deed. About one hundred of these men were afterwards tried for murder and acquitted. These terrible measures put an end to the ascendancy of rogues in Ogle county.

There can be no doubt but that the mobocratic spirit originates in two causes. First, the laws fail to provide remedies for great evils. The administration of the laws, owing to the checks and balances in the Constitution, intended for the protection of innocence and liberty against arbitrary power is necessarily slow and uncertain. In framing our governments it seemed to be the great object of our ancestors to secure the public liberty by depriving government of power. Attacks

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upon liberty were not anticipated from any considerable portion of the people themselves. It was not expected that one portion of the people would attempt to play the tyrant over another. And if such a thing had been thought of the only mode of putting it down was to call out the militia, who are, nine times out of ten, partisans on one side or the other in the contest. The militia may be relied upon to do battle in a popular service, but if mobs are raised to drive out horse thieves, to put down claim-jumpers, to destroy an abolition press, or to expel an odious sect, the militia cannot be brought to act against them efficiently. The people cannot be used to put down the people. The day may unfortunately come when the States, as well as the nation, will be compelled to keep up a regular force.

In fact, the principal strength of government in free countries is that the mass of the people do not need government at all. Each man governs himself and, if need be, assists to govern his neighbor. Religious principles and feelings incline to justice. Industry inclines to peace. Early training begets submission to parents, and then to the magistrates and laws; making government quite possible without much authority in the mag-

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istrate. With the assistance of the well-affected honest citizens, who are supposed to make a large majority of the people, the magistrate is able to bring to punishment the lesser sort of rogues, who belong to no great combination, and sometimes succeeds in breaking up the strongest combinations. But if an association of bankers, of public officers who are charged with public affairs to disburse money, swindle the public, or if a number of rogues associate to depredate upon the community we are apt to find the old Athenian definition of law still to be true "that law is a cobweb to catch the small flies, but the great ones break through it." The true reason why the great offenders and combinations of criminals so frequently go unpunished is that they are too strong for the ordinary machinery of government single handed, without a vigorous support of that government by the orderly and well-disposed. The government is too frequently left without this support. The peaceable and orderly many are so engaged in separate and selfish but lawful projects of their own that it is hard to get them to take part in putting down the disorderly few, except when the disorders become intolerable and insufferable; and then the power of the many is exercised as the limbs of the body are exer-

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cised, in a spasm which waits for neither law nor government.

The second cause of mobs is that men engaged in unpopular projects expect more protection from the laws than the laws are able to furnish in the face of a popular excitement. They read in the Constitution the guaranty of their rights, and they insist upon the enjoyment of these rights to the fullest extent, no matter what may be the extent of popular opposition against them. In such a case it may happen that the whole people may be on one side and merely the public officers on the other. The public officers are appealed to for protection when it is apparent that, being separated from the strength of the people, they form the mere dead skeleton of a government. The men engaged in projects which may be odious to the people call upon government for that protection which it cannot give. For if government cannot suppress an unpopular band of horse thieves associated to commit crime, how is it to suppress a popular combination which has the people on its side? I am willing enough to acknowledge that all this is wrong, but how is the evil to be avoided? The Alton mob was provoked by the abolitionists. They read in the Constitution that they had a right to print and publish what-

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ever they pleased, being responsible to the laws for the abuse of that right; and they planted themselves here as firmly as if government was omnipotent, or as if they intended, by way of experiment, to test the power of government to put down the people, on whom alone it rests for support. The same may be said of the Mormons. Scattered through the country, they might have lived in peace like other religious sects, but they insisted upon their right to congregate in one great city. The people were determined that they should not exercise this right; and it will be seen in the sequel of this history that in their case, as in every other where large bodies of the people are associated to accomplish with force an unlawful but popular object, the government is powerless against such combinations. This brings us to treat of the Mormons.

The people called Mormons, but who call themselves the Church of Jesus Christ of Latter Day Saints, began to figure in the politics of this State in 1840. They were a religious sect, the followers of a man familiarly called Joe Smith, who was claimed by them to be a prophet. This man was born at Sharon, Windsor County, Vermont, on the 23d of December, 1805. His parents were in humble circumstances, and gave

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their son but an indifferent education. When he first began to act the prophet he was ignorant of almost everything which belonged to science; but he made up in natural cunning and in power of invention and constructiveness for many deficiencies of education. When he was ten years old his parents removed to Palmyra, Wayne County, New York. Here his extreme youth was spent in an idle, vagabond life, roaming the woods, dreaming of buried treasures, and exerting himself to learn the art of finding them by the twisting of a forked stick in his hands or by looking through enchanted stones. He and his father before him were what are called "water witches," always ready to point out the ground where wells might be dug and water found, and many are the anecdotes of his early life, giving bright promise of future profligacy. Such was Joe Smith when he was found by Sidney Rigdon, who was a man of considerable talents and information. Rigdon had become possessed of a religious romance written by a Presbyterian clergyman in Ohio, then dead, which suggested to him the idea of starting a new religion.<sup>8</sup> It was agreed that Joe Smith should

<sup>8</sup>Governor Ford's contemporary history of the Saints is inadequate in certain respects. For comprehensive accounts of the period see Wm. A. Linn, *The*



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be put forward as a prophet; and the two devised a story that golden plates had been found buried in the earth in the neighborhood of Palmyra, containing a record inscribed on them in unknown characters, which, when deciphered by the power of inspiration, gave the history of the ten lost tribes of Israel in their wanderings through Asia into America, where they had settled and flourished, and where in due time Christ came and preached his gospel to them, appointed his twelve apostles, and was crucified here, nearly in the same manner in which he was crucified in Jerusalem. The record then pretended to give the history of the American Christians for a few hundred years, until the great wickedness of the people called down the judgments of God upon them, which resulted in their extermination. Several nations and people from the Isthmus of Darien to the extremities of North America were arrayed against each other in war. At last the great battle of Cumorah was fought near Palmyra, New York between the Lamanites, who were the heathen of this continent, and the Nephites, who were the Christians, in which battle

*Story of the Mormons* (New York, 1902) and Fawn Brodie, *No Man Knows My History* (a life of Joseph Smith, New York, 1945).

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there was a prodigious slaughter, hundreds of thousands being killed on each side. The nation of the Nephites was destroyed, except a few who had deserted and a few who had escaped into the south country. Among this number were Mormon and his son Moroni, who were righteous men, and who, as was said, were directed by the Almighty to make a record of all these solemn and important events on plates of gold and bury them in the earth, to be discovered in a future age, fourteen centuries afterwards. It is needless to add that the pretended translation of the hieroglyphics said to be inscribed on these pretended plates was no more nor less than the religious romance already spoken of, but which now appeared as the book of Mormon.

The prophet in after-life pretended that at an early age he became much concerned about the salvation of his soul. He went to the religious meetings of many sects to seek information of the way to heaven; and was everywhere told, "this is the way, walk ye in it." He reflected upon the multitude of doctrines and sects, and it occurred to him that God could be the author of but one doctrine, and own but one church; he looked amongst all the sects to see which was this one true church of Christ, but he could not decide; and until he became satisfied, he

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could not be contented. His anxious desires led him diligently to search the scriptures, and he perused the sacred pages, believing the things that he read. He now saw that the true way was to enquire of God, and then there was a certainty of success. He therefore retired to a secret place in a grove near his father's house, and kneeling down, began to call upon the Lord; darkness gave way, and he prayed with fervency of spirit. Whilst he continued praying the light appeared to be gradually descending towards him; and as it drew nearer it increased in brightness and magnitude, so that by the time it reached the tops of the trees the whole wilderness for quite a distance around was illuminated in a glorious and brilliant manner. He expected the leaves of the trees to be consumed, but seeing no such effect of the light he was encouraged with the hope to endure its presence. It descended slowly until he was enveloped in the midst of it. Immediately he was caught away in a heavenly vision and saw two glorious personages alike in their features; and he was now informed that his sins were forgiven. Here he learned that none of the churches then in being was the church of God; and received a promise at some future time of the fulness of the Gospel and a knowledge of the true

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doctrine. After this, being still young, he was entangled in the vanities of the world, of which he sincerely and truly repented.

On the 23d of September, 1823 God again heard his prayers. His mind had been drawn out in fervent prayer for his acceptance with God; and for a knowledge of the doctrines of Christ, according to promise in the former vision. While he was thus pouring out his desires, on a sudden a light burst into the room like the light of day, but purer and more glorious in appearance and brightness; the first sight of it was as though the house had been filled with consuming fire; this occasioned a shock felt to the extremities of his body; and then was followed by calmness of mind and overwhelming rapture of joy when in a moment a personage stood before him who, notwithstanding the light, seemed to be surrounded by an additional glory, which shone with increased brilliancy. This personage was above the ordinary size of men, his raiment was perfectly white and had the appearance of being without seam. This glorious being declared himself to be an angel sent to announce the forgiveness of his sins, and to answer his prayers by bringing the glad tidings that the covenant of God with ancient Israel concerning posterity was at last about to be fulfilled; that preparation

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for the second coming of Christ was speedily to commence; that the fulness of the Gospel was about to be preached in peace unto all nations that a people might be prepared for the millennium of universal peace and joy.

At the same time he was informed that he had been called and chosen as an instrument in the hands of God to bring about some of his marvellous purposes in this glorious dispensation. It was made known to him that the American Indians were a remnant of Israel; that when they first came here they were an enlightened people, having a knowledge of the true God; that the prophets and inspired writers amongst them had been required to keep a true record of their history, which had been handed down for many generations until the people fell into great wickedness; when nearly all of them were destroyed and the records, by command of God, were safely deposited to preserve them from the hands of the wicked, who sought to destroy them. If faithful, he was to be the highly-favored instrument in bringing these records to light.

The angel now disappeared, leaving him in a state of perfect peace, but visited him several times afterwards, instructing him concerning the great work of God about to commence on earth. He was instructed

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where these records were deposited and required to go immediately to view them. They were found on the side of a hill, slightly buried in the earth, secured in a stone box, on the road from Palmyra to Canandaigua in New York, about three miles from the village of Manchester. The records were said to be engraved on gold plates in Egyptian characters; the plates were of the thickness of tin, bound together like a book, fastened at one side by three rings which ran through the whole and formed a volume about six inches in thickness. And in the same box with them were found two stones, transparent and clear as crystal, the Urim and Thummim, used by seers in ancient times, the instruments of revelations of things distant, past, or future.

When the prophet first saw these things, being filled with the Holy Ghost and standing and admiring, the same angel of the Lord appeared in his presence and said, "look!" and he beheld the devil surrounded by a great train of his associates. He then, after receiving further directions from the angel, started home to his father's house, where he was waylaid by two ruffians. One of them struck him with a club, but was repulsed; but they followed him nearly home when they fled for fear of detection. The news of

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his discovery got abroad; the new prophet was the sport of lies, slanders, and mobs, and vain attempts to rob him of his plates. He removed to the northern part of Pennsylvania, where he commenced with the aid of inspiration and the Urim and Thummim to translate the plates. He finished a part which is called the Book of Mormon. It is pretended that Mormon hid all the old records up in the hill of Cumorah; but had first made an abridgment of them which was called the Book of Mormon, and which he gave to his son Moroni to finish. Moroni continued to serve his nation for a few years and continued the writings of his father until after the great battle of Cumorah, when he kept himself hid; for the Lamanites sought to kill every Nephite who refused to deny Christ. The story is remarkably well gotten up and may yet unhappily make the foundation of a religion which may roll back upon the world the barbarism of eighteen centuries passed away. Whilst there are fools and knaves there is no telling what may be accomplished by such a religion.

And the prophet was not without his witnesses. Oliver Cowdery, Martin Harris, and David Whitmer solemnly certify "that we have seen the plates which contain the records; that they were translated by the gift

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and power of God, for his voice hath declared it unto us, wherefore we know of a surety that the work is true; and we declare with words of soberness that an angel of God came down from heaven and brought and laid before our eyes, that we beheld and saw the plates and the engravings thereon." Eight other witnesses certify that Joseph Smith, the translator, had shown them the plates spoken of, which had the appearance of gold; and as many of the plates as the said Smith had translated they did handle with their hands, and they also saw the engravings thereon, all of which had the appearance of ancient work and curious workmanship.

The most probable account of these certificates is that the witnesses were in the conspiracy, aiding the imposture; but I have been informed by men who were once in the confidence of the prophet that he privately gave a different account of the matter. It is related that the prophet's early followers were anxious to see the plates; the prophet had always given out that they could not be seen by the carnal eye, but must be spiritually discerned; that the power to see them depended upon faith and was the gift of God, to be obtained by fasting, prayer, mortification of the flesh, and exercises of the spirit; that so soon as he could see the evi-



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dences of a strong and lively faith in any of his followers they should be gratified in their holy curiosity. He set them to continual prayer and other spiritual exercises, to acquire this lively faith by means of which the hidden things of God could be spiritually discerned; and at last, when he could delay them no longer, he assembled them in a room and produced a box, which he said contained the precious treasure. The lid was opened; the witnesses peeped into it, but making no discovery, for the box was empty, they said, "Brother Joseph, we do not see the plates." The prophet answered them, "O ye of little faith! how long will God bear with this wicked and perverse generation? Down on your knees, brethren, every one of you, and pray God for the forgiveness of your sins, and for a holy and living faith which cometh down from heaven." The disciples dropped to their knees and began to pray in the fervency of their spirit, supplicating God for more than two hours with fanatical earnestness; at the end of which time, looking again into the box, they were now persuaded that they saw the plates. I leave it to philosophers to determine whether the fumes of an enthusiastic and fanatical imagination are thus capable of blinding the mind and deceiving the senses by so absurd a delusion.

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The book of Mormon pretended to reveal the fulness of the Gospel of Jesus Christ as he delivered it to his people in America. It was to be brought forth by the power of God and carried to the Gentiles, of whom many were to receive it; and after this the seed of Israel were to be brought into the fold also. It was pretended that pristine Christianity was to be restored, with the gift of prophecy and the gift of tongues, with the laying on of hands to cure all manner of diseases. Many were the pretended prophets which this sect brought forth. Many of the disciples spoke an outlandish gibberish, which they called the unknown tongue; others again acted as interpreters of this jargon, for it rarely happened that he who was gifted to speak in the unknown tongue was able to understand his own communications; and many brilliant miracles were pretended to be wrought in the cure of diseases by the laying on of hands and the prayer of faith.

By the 6th of April, 1830 Joe Smith and his associates had made a considerable number of converts to the new religion, who were assembled on that day in the village of Manchester and formed into a church. Their numbers now increased rapidly and in 1833 they removed from New York to Jackson County, Missouri, where they began to

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build the town of Independence. Here, by pretending that the Lord had given them all that country, and in fact the whole world, they being his saints, and by some petty offences, and by their general tone of arrogance the neighboring people became much excited against them. Some of them were ducked in the river; some were tarred and feathered and others killed; and the whole of them were compelled to remove to the County of Clay, on the opposite side of the Missouri river. They also had a place of gathering together at Kirtland, near Cleveland, in the State of Ohio. At this last place of gathering Joe Smith established himself; and in 1836 a solemn assembly was held there of several hundred Mormon elders, who, in their own language, "had an interesting time of it, as it appeared by the reports of the elders that the work of God had greatly increased in America, in England, Scotland, and Wales, and in the islands of the sea."

At this place Joe Smith got up a bank, called The Kirtland Safety Bank, of which he was president; and the notes of which were made to resemble the notes of the safety fund banks of New York.<sup>9</sup> The bank failed

<sup>9</sup>On the Kirtland Bank see Brodie, *No Man Knows My History*, Chap. XIV. The banknotes were issued in

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for a large amount, for want of capital and integrity in its managers; and its failure was accompanied by more than ordinary depravity. The residence of the prophet at this place, after the failure of the bank, became irksome and dangerous. He determined to leave it, and accordingly, accompanied by his apostles and elders, for he had apostles and elders, and the great body of the saints, he shook the dust off his feet as a testimony against Ohio, where he was about to be prosecuted, and departed for Missouri. This time the Mormons settled in Caldwell and Davis Counties in Missouri, far in the northwest part of the State. Here they purchased large tracts of land from the United States and built the city of Far West and many smaller towns. Difficulties again attended them in their new place of residence. They did not fail to display here the usual arrogance of their pretensions, and were charged by the neighboring people with every kind of petty villainy. In a few years

advance of incorporation by the Ohio legislature. News of the latter's denial of incorporation reached Kirtland the same day the new banknotes arrived. Nothing daunted, Smith quickly altered the notes which read "The Kirtland Safety Society Bank" by inserting in much smaller type "anti" before the word Bank, and "ing Co." immediately following it. See facsimile illustration of the notes in Brodie, facing page 196.

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the quarrel between the saints and the Gentiles became utterly irreconcilable. The Mormon leaders declared that they would no longer submit to the government of Missouri. The clerk of the circuit court, being a Mormon, was ordered by the prophet to issue no more writs against the saints; and about this time Sidney Rigdon preached before the prophet a Fourth of July sermon, called The Salt Sermon, in which he held forth to the Mormons that the prophet had determined no longer to regard the laws and government of Missouri.<sup>10</sup> The neighboring people of Missouri assembled under arms to drive the Mormons from the State. Armed Mormon parties patrolled the country, robbing and plundering the inhabitants; all the plunder being deposited in one place, called the Lord's treasury. One of these plundering parties met a hostile party commanded by Captain Bogart, who had formerly been a Methodist preacher in Illinois. He had run away from Illinois directly after the Black Hawk war, and was the same Major Bogart heretofore mentioned as commanding a battalion of Rangers in the Black Hawk

<sup>10</sup>This was on July 4, 1838. A contemporary copy of the sermon, as printed in the Liberty newspaper, is preserved in the Chicago Historical Society Library.

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war, left to guard the frontiers.<sup>11</sup> Bogart's party and the Mormons came to a battle in which the Mormons were defeated. The Mormons, however, burnt and plundered two small towns belonging to their enemies and plundered all the neighboring country. At last Gov. Boggs of Missouri called out a large body of militia and ordered that the Mormons should be exterminated or driven from the State. A large force was marched to their county under Major-Gen. Lucas and Brig.-Gen. Doniphan, where the Mormons were all assembled under arms with the declared intention of resisting to the last extremity. They were soon surrounded in their city of Far West by a much superior force and compelled to surrender at discretion. Much plunder was re-captured and delivered to its former owners. The great body of the Mormons, in fact all except the leaders, were dismissed under a promise to leave the State. The leaders, including the prophet, being arrested, were tried before a court-martial, and sentenced to be shot for treason. But Gen. Doniphan, being a sound lawyer and a man of sense, knowing that such a proceeding was utterly unconstitutional and illegal, by boldly denouncing and

<sup>11</sup>For this reference see Vol. I of the *Pioneer History*, 182-83.

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firmly remonstrating against this arbitrary mode of trial and punishment saved the lives of the prisoners.\*

The leaders were then carried before a circuit judge sitting as an examining court, and were committed to jail for further trial on various charges; such as treason, murder, robbery, arson, and larceny, but finally made their escape out of jail and out of the State before they could be brought to trial. Those who wish to consult a more minute detail of the history of this people, are referred to a volume of printed evidence and documents published by order of the legislature of Missouri.

\*This is the same Gen. Doniphan who, as Colonel of a regiment of Missouri volunteers, afterwards conquered Chihuahua and gained the splendid victories of Bracito and Sacramento. Among all the officers of the Missouri militia operating against the Mormons, Gen. Doniphan was the only one who boldly denounced the intended assassination of the prisoners under color of law. So true is it that the truly brave man is most apt to be merciful and just.<sup>12</sup>

<sup>12</sup>General Alexander Doniphan is one of Missouri's sons of whom that Commonwealth is justly proud. By the outside world he is best-known, perhaps, for his remarkable display of leadership in the Mexican War. Yet never in his long career did he exhibit greater courage or strength of character than on this occasion when he denounced the intended slaughter of the captive Mormon leaders. Governor Ford's encomium is amply deserved.

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The whole body of the Missouri Mormons came to Illinois in the years 1839 and 1840<sup>13</sup>; and many of the leaders who had escaped came through perils of flood and field which, according to their own account, if written would equal a tale of romance. As they were the weaker party much sympathy was felt and expressed for them by the people of Illinois. The Mormons represented that they had been persecuted in Missouri on account of their religion. The cry of persecution, if believed, is always sure to create sympathy for the sufferers. This was particularly so in Illinois, whose citizens, until some time after this period, were justly distinguished for feelings and principles of the most liberal and enlightened toleration in matters of religion. The Mormons were received as sufferers in the cause of their religion. Several counties and neighborhoods vied with each other in offers of hospitality and in endeavors to get the strangers to settle among them.

At last the Mormons selected a place on the Mississippi river, afterwards called Nauvoo, in the upper part of the county of Hancock, as the place of their future residence. On this spot they designed to build

<sup>13</sup>Chiefly in the winter of 1838-39.



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up a great city and temple as the great place of gathering to Zion, and as the great central rendezvous of the sect; from whence was to originate and spread the most gigantic operations for the conversion of the world to the new religion. However, in this history I have nothing to do with the religious, but only the political considerations connected with this people.

In the State of Missouri the Mormons had always supported the democratic party. They had been driven out by a democratic governor of a democratic State; and when they appealed to Mr. Van Buren, the democratic President of the United States, for relief against the Missourians he refused to recommend it for want of constitutional power in the United States to coerce a sovereign State in the execution of its domestic polity. This soured and embittered the Mormons against the democrats. Mr. Clay, as a member of the United States Senate, and John T. Stuart, a member of the House of Representatives in Congress from Illinois, both whigs, undertook their cause and introduced and countenanced their memorials against Missouri; so that when the Mormons came to this State they attached themselves to the whig party. In August, 1840 they voted unanimously for the whig candi-

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dates for the Senate and Assembly.<sup>14</sup> In the November following they voted for the whig candidate for President; and in August, 1841 they voted for John T. Stuart, the whig candidate for Congress in their district.<sup>15</sup>

At the legislature of 1840-'41 it became a matter of great interest with both parties to conciliate these people. They were already numerous and were fast increasing by emigration from all parts. It was evident that they were to possess much power in elections. They had already signified their in-

<sup>14</sup>There was one exception to this statement. Wishing to vote for one Democrat who had extended some favors to the Prophet, the Saints scratched the last name on the Whig list of candidates. This belonged to a rising young politician named Abraham Lincoln. If John C. Bennett, who pushed the extraordinary bills incorporating the city of Nauvoo, creating the Nauvoo Legion, and other Mormon measures, through the Legislature can be believed (a highly hazardous procedure), Lincoln, instead of resenting the Mormon opposition to his own election "had the magnanimity to vote for our act, and came forward after the final vote to the bar of the house, and cordially congratulated me on its passage." See Brodie, *No Man Knows My History*, 267-68.

<sup>15</sup>Stuart, an able man in his own right, is now best remembered as the law partner of Abraham Lincoln from 1837 to 1841. Although the two men were congenial associates, time brought a political cleavage, since Stuart strongly disapproved of Lincoln's Emancipation policy and actively opposed his administration. See *Dictionary of American Biography*.

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tention of joining neither party, further than they could be supported by that party, but to vote for such persons as had done or were willing to do them most service. And the leaders of both parties believed that the Mormons would soon hold the balance of power, and exerted themselves on both sides, by professions and kindness and devotion to their interest, to win their support.

In this state of the case Dr. John C. Bennett presented himself at the seat of government as the agent of the Mormons. This Bennett was probably the greatest scamp in the western country. I have made particular enquiries concerning him and have traced him in several places in which he had lived before he had joined the Mormons in Ohio, Indiana and Illinois, and he was everywhere accounted the same debauched, unprincipled and profligate character.<sup>16</sup> He was a man of

<sup>16</sup>Governor Ford's characterization of Bennett errs, if anything, through understatement. He was a slippery, ambitious, egotistical, and completely unscrupulous rogue, a complete stranger to such humdrum qualities as honesty and loyalty. Withal, his activities make for diverting reading and one can only regret that we do not have a fuller record of them. How he acquired his medical skill (if any) is not a matter of record, but he seems to have had a passion for founding quack medical schools. While still in his twenties he organized Indiana's first medical school at New Albany, incor-

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some little talent, and then had the confidence of the Mormons, and particularly that of their leaders. He came as the agent of that people to solicit a city charter; a charter for a military legion; and for various other purposes. This person addressed himself to Mr. Little, the whig senator from Hancock, and to Mr. Douglas, the democratic secretary of State, who both entered heartily into his views and projects. Bennett managed matters well for his constituents. He flat-

porated January 24, 1833, and just 40 days later he was conferring medical degrees fraudulently signed by himself as "Chancellor of the University of Indiana." At subsequent dates he flourished as "President of the Medical Faculty, and Professor of the Principles and Practice of Mid-wifery and the Diseases of Women and Children" in "Willoughby University of Lake Erie" and as holder of a like professorship at the "Literary and Botanico-Medical College of Ohio" in Cincinnati. At Nauvoo, apart from becoming head of the "University" and Major General in the Legion, he is reported to have lent his knowledge of the art of abortion to the promotion of Joseph Smith's experiments in concubinage and in lechery generally. A few years later he turned up as chief advisor of Prophet James J. Strang in Wisconsin, where he brazenly proposed to serve as "General-in-Chief," urged the founding of a "University of Wisconsin," and without awaiting such a step began appointing medical "professors." Not unlike Diocletian of old, he finally retired to the home of his wife's parents at Plymouth, Mass., to devote himself to the unmartial calling of raising chickens.

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tered both sides with the hope of Mormon favor; and both sides expected to receive their votes. A city charter drawn up to suit the Mormons was presented to the Senate by Mr. Little. It was referred to the judiciary committee, of which Mr. Snyder, a democrat, was chairman, who reported it back recommending its passage. The vote was taken, the ayes and noes were not called for, no one opposed it, but all were busy and active in hurrying it through. In like manner it passed the House of Representatives, where it was never read except by its title; the ayes and noes were not called for, and the same universal zeal in its favor was manifested here which had been so conspicuously displayed in the Senate:

This city charter and other charters passed in the same way by this legislature incorporated Nauvoo, provided for the election of a Mayor, four Aldermen, and nine Counselors; gave them power to pass all ordinances necessary for the peace, benefit, good order, regulation, convenience, or cleanliness of the city, and for the protection of property from fire, which were not *repugnant to the Constitution of the United States, or this State*. This seemed to give them power to pass ordinances in violation of the *laws* of the State, and to erect a system of government for themselves.

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This charter also established a mayor's court with exclusive jurisdiction of all cases arising under the city ordinances, subject to an appeal to the municipal court. It established a municipal court to be composed of the mayor as chief justice and the four aldermen as his associates; which court was to have jurisdiction of appeals from the mayor or aldermen, subject to an appeal again to the circuit court of the county. The municipal court was also clothed with power to issue writs of habeas corpus in all cases arising under the ordinances of the city.

This charter also incorporated the militia of Nauvoo into a military legion, to be called The Nauvoo Legion. It was made entirely independent of the military organization of the State, and not subject to the command of any officer of the State militia except the Governor himself, as commander-in-chief. It was to be furnished with its due proportion of the State arms; and might enroll in its ranks any of the citizens of Hancock county who preferred to join it, whether they lived in the city or elsewhere. This last provision, I believe, was not in the original charter, but was afterwards passed as an amendment to a road law. The charter also established a court-martial for the legion, to be composed of the commissioned officers,

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who were to make and execute all ordinances necessary for the benefit, government, and regulation of the legion; but in so doing they were not bound to regard the laws of the State, but could do nothing repugnant to the constitution; and finally, the legion was to be at the disposal of the mayor in executing the laws and ordinances of the city. Another charter incorporated a great tavern to be called the Nauvoo House, in which the prophet, Joe Smith and his heirs were to have a suite of rooms forever.

Thus it was proposed to re-establish for the Mormons a government within a government, a legislature with power to pass ordinances at war with the laws of the State; courts to execute them with but little dependence upon the constitutional judiciary; and a military force at their own command, to be governed by its own by-laws and ordinances and subject to no State authority but that of the Governor. It must be acknowledged that these charters were unheard-of, and anti-republican in many particulars; and capable of infinite abuse by a people disposed to abuse them. The powers conferred were expressed in language at once ambiguous and undefined; as if on purpose to allow of misconstruction. The great law of the separation of the powers of government was wholly

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disregarded. The mayor was at once the executive power, the judiciary, and part of the legislature. The common council, in passing ordinances, were restrained only by the constitution. One would have thought that these charters stood a poor chance of passing the legislature of a republican people jealous of their liberties. Nevertheless they did pass unanimously through both houses. Messrs. Little and Douglas managed with great dexterity with their respective parties. Each party was afraid to object to them for fear of losing the Mormon vote, and each believed that it had secured their favor. These, I believe, were the principal subjects acted on by the session of 1840-'41.

But we will continue a little farther the history of the Mormons. A city government under the charter was organized in 1841. Joe Smith was elected mayor.<sup>17</sup> In this capacity he presided in the common council and assisted in making the laws for the government of the city. And as mayor also he was to see these laws put into force. He was ex-officio judge of the mayor's court and chief justice of the municipal court, and in these capacities he was to interpret the laws

<sup>17</sup>Prior to his expulsion from the Church in the summer of 1842 Dr. John C. Bennett was the Mayor of Nauvoo.



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which he had assisted to make. The Nauvoo Legion was also organized, with a great multitude of high officers. It was divided into divisions, brigades, cohorts, regiments, battalions, and companies. Each division, brigade, and cohort had its general, and over the whole, as commander-in-chief, Joe Smith was appointed lieutenant-general. These offices, and particularly the last, were created by an ordinance of the court-martial, composed of the commissioned officers of the Legion.

The common council passed many ordinances for the punishment of crime. The punishments were generally different from, and vastly more severe than, the punishments provided by the laws of the State.

In the fall of 1841 the governor of Missouri made a demand on Gov. Carlin for the arrest and delivery of Joe Smith and several other head Mormons as fugitives from justice. An executive warrant was issued for that purpose. It was placed in the hands of an agent to be executed; but for some cause unknown to me was returned to Gov. Carlin without being executed. Soon afterwards the governor handed the same writ to his agent, who this time succeeded in arresting Joe Smith upon it. But before this time Mr. Douglas had been elected one of the judges of the

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supreme court and was assigned to hold circuit courts in Hancock and the neighboring counties. This had given the democratic party the advantage in securing the Mormon vote. Judge Douglas immediately appointed Dr. Bennett a master in chancery. Bennett was then an influential Mormon, and had, before he joined the Mormons, been appointed by Gov. Carlin adjutant-general of the State militia. He had also been elected an alderman of the city and a major-general in the Legion. Upon his arrest, Joe Smith was carried before Judge Douglas upon a writ of habeas corpus and was discharged upon the ground that the writ upon which he had been arrested had been once returned before it had been executed, and was *functus officio*. Whether the decision was right or wrong, Joe Smith was not lawyer enough to know, and was therefore the more inclined to esteem his discharge as a great favor from the democratic party.

The Mormons anticipated a further demand from Missouri, and a further writ from the governor of this State for the arrest of their prophet and leaders. They professed to believe that the public mind in Missouri was so prejudiced against them that a fair trial there was out of the question, and that if their leaders were taken to Missouri for

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trial and not convicted upon evidence they would be murdered by a mob before they could get out of the State. Some mode of permanent protection, therefore, against the demands of Missouri became a matter of vital importance; and they set their ingenuity to work to devise a scheme of protection by means of their own city ordinances, to be executed by their own municipal court. Gov. Carlin had issued his writ again in 1842. Joe Smith was arrested again, and was either rescued by his followers or discharged by the municipal court on a writ of habeas corpus. The common council passed an ordinance declaring, in effect, that the municipal court should have jurisdiction in all cases of arrests made in the city by any process whatever. The charter intended to give the jurisdiction only in cases where imprisonment was a consequence of the breach of some ordinance. But it was interpreted by the Mormons to authorize the enlargement and extension of the jurisdiction of the court by ordinance. This ordinance will figure very largely in the proceedings of the Mormons hereafter.

In December, 1841 a State democratic convention assembled at Springfield and nominated Adam W. Snyder as the democratic candidate for governor, to be elected in August, 1842. Mr. Snyder was a native of Pennsylvania and a distant relative of

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Gov. Snyder of that State. In his early youth he learned the trade of a fuller and wool-carder. He came to Illinois when he was about eighteen years old; settled in the French village of Cahokia; followed his trade for several years; studied law; removed to the county seat, where he commenced his profession, in which he was successful in getting practice. In 1830 he was elected to the State Senate, and was afterwards elected to Congress from his district; and was again elected to the State Senate in 1840. Mr. Snyder was a very showy, plausible and agreeable man in conversation, and was gifted with a popular eloquence which was considerably effective. He was a member of the senate when the Mormon charters were passed and had taken an active part in furthering their passage. In the spring of 1842 Joseph Duncan, former governor, became the candidate of the whig party for the same office.

In a very short time after the two parties had their candidates fairly in the field Joe Smith published a proclamation to his followers in the Nauvoo papers declaring Judge Douglas to be a master spirit and exhorting them to vote for Mr. Snyder for governor.<sup>18</sup>

<sup>18</sup>Published in *Nauvoo Times and Seasons*, January 1, 1842; reprinted in Brodie, *No Man Knows My History*, 286-87.

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The whigs had considerable hope of the Mormon support until the appearance of this proclamation. The Mormons had voted for the whig candidate for Congress in August, 1841. But this proclamation left no doubt as to what they would do in the coming contest. It was plain that the whigs could expect their support no longer, and that the whig party in the legislature had swallowed the odious charters without prospect of reward.

The Mormons, however, were becoming unpopular, nay odious, to the great body of the people. As I have already said, their common council had passed some extraordinary ordinances calculated to set the State government at defiance. The Legion had been furnished with three pieces of cannon and about two hundred and fifty stand of small arms; which popular rumor increased to the number of thirty pieces of cannon and five or six thousand stand of muskets. The Mormons were rapidly increasing by emigration. The great office of Lieutenant General had been created for the commander of the Legion, of higher rank, as was said, than any office in the militia and higher than any office in the regular army. A vast number of reports were circulated all over the country to the prejudice of the Mormons. They were

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charged with numerous thefts and robberies and rogueries of all sorts; and it was believed by vast numbers of the people that they entertained the treasonable design, when they got strong enough, of overturning the government, driving out the old population, and taking possession of the country as the children of Israel did in the land of Canaan.

The whigs, seeing that they had been out-generaled by the democrats in securing the Mormon vote, became seriously alarmed and sought to repair their disaster by raising a kind of crusade against that people. The whig newspapers teemed with accounts of the wonders and enormities of Nauvoo, and of the awful wickedness of a party which would consent to receive the support of such miscreants. Governor Duncan, who was really a brave, honest man, and who had nothing to do with getting the Mormon charters passed through the legislature, took the stump on this subject in good earnest and expected to be elected governor almost on this question alone. There is no knowing how far he might have succeeded if Mr. Snyder had lived to be his competitor.

However, Mr. Snyder departed this life, much lamented by numerous friends, in the month of May preceding the election. The democratic party had now to select another

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candidate for governor. The choice fell upon me. I hope to be excused from saying anything in these memoirs in relation to my own personal qualities and history. If it should ever be thought important that a knowledge of such humble matters should be perpetuated, I will trust the task of doing it to other hands. I will merely mention that at the time I was nominated as a candidate for governor I was one of the judges of the Supreme Court engaged in holding a circuit court on Fox river, in the north. So soon as I heard of my nomination I hastened to the seat of government, resigned the office of judge, and became the candidate of my party. Here permit me to remark, I had never before been much concerned in the political conflicts of the day, and never at all on my own account. It is true that I had been much in office. I had been twice appointed to the office of State's Attorney and four times elected without opposition to the office of judge by the legislature. I had never been a candidate for the legislature, for Congress, or for any office elective by the people and had never wanted to be a candidate for such offices. I had never been an applicant for any office from the General Government, and had always avoided being a candidate for any office which was desired by any respectable political friend.

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And here again I must be permitted to indulge in some further reflections upon the practical operation of republican government. The history of my administration but serves to illustrate what has already been demonstrated by two administrations of the federal government. I mean the administrations of Tyler and Polk. Neither of these gentlemen was placed in the office of president because they were leaders of their respective parties. Tyler was accidentally made vice-president by the whigs, and accidentally became president by the death of Gen. Harrison. He had the position as to office to govern, but the moral power of government was in the hands of Henry Clay, the great leader of the whig party and the embodiment of its principles. During all of Tyler's administration he exerted no moral force; government was kept in motion merely by its previous impulse and by the patriotism of Congress, voluntarily subduing so much of its factious spirit as was absolutely necessary to keep government alive. Polk was accidentally nominated by the Baltimore convention after it was ascertained that none of the great leaders of the democratic party could be nominated; and so far during his time the government has been carried on by the mere force of the democratic party, which has been in the majority



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in Congress, the great leaders, for fear of division in their ranks, uniting sometimes in his support and sometimes dictating to him the policy of his administration. Neither Tyler nor Polk had much distinguished themselves in their respective parties. They had neither of them fought their way in the party contests to the leadership, and to the moral power which the leadership alone can give. So it was with the humble person who was now to be elected governor of Illinois. Mr. Snyder had been nominated because he was a leader of the party. Mr. Snyder died, and I was nominated, not because I was a leader, for I was not, but because I was believed to have no more than a very ordinary share of ambition; because it was doubtful whether any of the leaders could be elected, and because it was thought I would stand more in need of support from leaders than an actual leader would. To this cause, and perhaps there were others, I trace the fact which will hereafter appear that I was never able to command the support of the entire party which elected me.

From such examples as these I venture to assert that the moral power belonging to the leadership of the dominant party is greater than the legal power of office conferred by the Constitution and the laws. In fact it has

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appeared to me at times that there is very little power of government in this country except that which pertains to the leadership of the party in the majority. Gen. Jackson not only governed whilst he was president, but for eight years afterwards, and has since continued to govern, even after his death.\*

\*In forming a constitution it is almost impossible to anticipate how much power is delegated to the government, and particularly to the executive branch. The power of the executive branch depends somewhat upon the legal authority with which the officer is clothed, but more upon his personal character and influence. To illustrate this, take the administrations of John Quincy Adams, Gen. Jackson, and John Tyler. These presidents were all clothed with the same identical legal powers. John Quincy Adams, although a man of great abilities, acknowledged the feebleness of his administration, in consequence of not being elected by the people, but by the House of Representatives. Gen. Jackson exercised the power of an autocrat because he was supported by the confidence and affections of the American people. And John Tyler, though a man of very respectable talents, converted the executive department into a kind of anarchy because he had no party in his favor. The election, therefore, of a strong man or a weak one to this office is equivalent to an amendment of the Constitution by which great powers are given, or withheld, as the case may be. Or, rather, it is more like a revolution by which a dictator is appointed at one time, and at another the authority of the executive office is so restricted as to convert the government into an anarchy. And yet during the whole time there has been really no change in the fundamental law.

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When men who are not leaders are put into high office it is generally done through the influence of leaders who expect to govern through them. They are expected to need support more than if they were actual leaders; and are preferred sometimes to actual leaders on account of being more available as candidates, and sometimes because those leaders who cannot get the office themselves hope through them to help to be president or governor, as the case may be. Soon after my election I ascertained that quite a number of such leaders imagined that they, instead of myself, had been elected; and could only be convinced to the contrary on being referred to the returns of the election.

A pusillanimous man, willing to take office upon any terms, is ever disposed to submit to this kind of influence and dictation. He calls it consulting his party when he consults only a few leaders, and this he is obliged to do or find himself without the power to govern. In a government where the democratic spirit is all-powerful this power to govern consists in being able to unite a majority of opinions; but where the people are free, each man to choose for himself, it is extremely difficult to induce a majority to co-operate for the common benefit. Various reasons and passions and prejudices will lead differ-

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ent ways; and very often all reason will be confounded by a combination of clamor and prejudice. It is generally the work of a few leading minds to bring order out of this chaos and to get a majority to think and feel alike. These leaders, therefore, as effectually govern the country as if they were born to rule.

The best and purest mode in which leaders exercise their power is by instruction and persuasion. This kind of government can exist only over a very intelligent and virtuous people. And as a government is always a type of the people over whom it is exercised, so it will be found that when the people are less enlightened and virtuous the means of governing them will be less intellectual. If the people are indifferent to and ignorant of what constitutes good government, the mode which leaders take to unite a majority of them is apt to be as follows: There is in every county, generally at the county seats, a little clique of county leaders who aim to monopolize or dispose of the county offices. Some of them expect to be elected to the legislature, and in time to higher offices. Others expect to be recipients of some county or State office; or to be appointed to some office by the President through the influence of members of Congress. These lesser leaders all look to some more considerable leader,

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who is a judge, member of Congress, United States Senator, or Governor of the State. The State leaders again look to some more considerable man at Washington city who is actually president, or who controls the president, or who is himself a prominent candidate for that office. The great leader at Washington dashes boldly out in favor of or against some measure; the class of leaders whose influence, as yet, is bounded by a single State fall into line behind the great leader. These State leaders are kept together by a fear of the opposite party. For instance, if they are democratic leaders they fear that a division amongst themselves will divide the democratic party and thereby cause its defeat and the success of the whigs. They therefore make sacrifices of opinion to keep up unity, the least influential leader having to make the greatest sacrifice.\*

\*The organization of men into political parties under the control of leaders as a means of government necessarily destroys individuality of character and freedom of opinion. Government implies restraint, compulsion of either the body or mind, or both. The latest improvement to effect this restraint and compulsion is to use moral means, intellectual means operating on the mind, instead of the old mode of using force, such as standing armies, fire, sword and the gibbet to control the mere bodies of men. It is therefore a very common thing for men of all parties to make very great sacrifices of opinion so as to bring themselves into conformity

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The State leaders, whether democrat or whig makes no difference, then give the word to the little cliques of leaders in each county; these county leaders convey it to the little big men in each neighborhood and they do the talking to the rank-and-file of the people. In this way principles and men are put up and put down with amazing celerity. And gentle reader do not be astonished; THIS IS GOVERNMENT! and if there is in point of fact any other sort its existence cannot be proved by me, and yet I have been governor of the State for four years.

with the bulk of their party. And yet there is nothing more common than for the race of newspaper statesmen to denounce all such of the opposite party as yield their own opinions to the opinions of the majority as truckling and servile. They may possibly be right in this. But undoubtedly such submission is often necessary to the existence of majorities entertaining the same opinion. A little further experience may develop the fact that when this means of securing majorities shall fail the government will fall into anarchy.

Either moral or physical force must be used for purposes of government. When a people are so gross that moral power cannot operate on them physical force must be resorted to. Also, when the officers of government lack talents and moral power physical force may thereby be made necessary; so that it may be said that a people may stand in need of being governed by absolute violence just in proportion to their want of a proper civilization; and sometimes also just in proportion to the want of moral power in the government.

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It may be thought that these leaders, of course, are men of great and magnanimous natures. But such is not always the fact. To make a leader nothing more is necessary than a pleasing address, added to zeal for a party and unceasing activity and enterprise. The world is governed by industry more than by talents. True great men are leaders only in times of great trouble, when a nation is in peril. In quiet times the active, talking, enterprising, and cunning manager is apt to be the leader. This kind of leader always claims more than his just share in the benefits and advantages of government. When he has elected some man to high office who is not a leader, he claims every service from him which he has it in his power to render. Many such must have offices which they are not fit for; others have a scheme to make money out of the public; others invoke aid in procuring the enactment of laws for private advantage; and others again require a hundred things which an honest man ought not to do. And if their unreasonable requests are refused; if the true interests of the people are consulted, and the man elected refuses to be a mere instrument in the hands of leaders to make an unequal distribution of the advantages of government, they immediately denounce him, they send out all sorts

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of falsehoods against him, and, for being honest and devoted to the public interest they get many people to believe that he is a greater rogue than he would really have been if he had done all the villainous things they required him to do. I could relate some amusing instances of this sort in the course of my administration.\*

\*The condition of a modern governor in party times, is well described in Knickerbocker's history of New York: 'He is an unhappy victim of popularity, who is in fact the most dependent, hen-pecked being in community; doomed to bear the secret goadings and corrections of his own party and the sneers and revilings of the whole world beside. Set up like geese at Christmas holidays, to be pelted and shot at by every whipster and vagabond in the land.' From this condition nothing can save a governor but his personal insignificance, the idea that he is not worth making war on. As soon as a governor is elected he receives the congratulations of his friends, and there are generally about ten of these and sometimes more in each county, each one of whom claiming to have elected him. Each one writes to the governor or goes to see him to tell him how well and cunningly he fought and managed and how many sacrifices he made to carry the election. Each one is sure that he did it all himself and claims to be rewarded accordingly. If the governor cannot do everything for everyone as required, the disappointed ones are more earnest in their enmity than they were before in their friendship. Something of this kind has happened to me. I do not complain of it, but merely mention it but to show how difficult it is for a governor to have any policy of his own for the general advantage of the people and



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It is no part of my object to overthrow the power of leaders, if I could; for I am persuaded that without it, a governing majority of the people would rarely be found. A government of leaders, however defective it may be, is better than no government, upon the same principle that despotism is better than anarchy. But reformation of this power is earnestly desired. For as long as the great body of the people do not investigate, and take so little interest in matters of government, as long as men of influence will endeavor to appropriate the benefits and advantages of government to themselves, and can and do control the people, making it necessary for men in office to lean upon leaders instead of the intelligence of the people for support, there will never be any good government, or if there is the people will not think so.\* Fortunate is that country which

pursue it steadily without incurring the censure of such politicians as have no public benefits in view, but merely their own selfish projects.

\*Just now the public mind is in a great ferment concerning amendments of the constitution, as if amendments of the laws were a cure for every ill that flesh is heir to. Without undertaking to prove, I will venture to assert that there may be a very bad government with very good laws. The laws may be amended, but if human nature is vicious and selfish it will find a way to pervert the best of laws to the worst of purposes. I

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has great and good men for leaders of parties, upon whose measures a majority of the people can safely unite, and the greater the majority the better. If the power of leaders is ever to be reformed, it will be by beginning with the people themselves. The people, whether good or bad, will have a government which in the main truly represents the state of civilization which they have attained to. The democratic party professes to be the party of progress in matters of government; it has much to reform; but it is sincerely hoped that at no distant day its attention may be directed to the evils of this machinery and correct them. At present the people may be said to govern themselves only by being the depository of power, which they

assert again that if government is to be reformed the work must begin with the people, who are, in a kind of way, the source of power. If it is once given up that the people can never be persuaded to vote wisely and judiciously, to sustain such of their servants as may be faithful and put aside all selfish demagogues who seek to live merely by the profits of office, then we may make up our minds to see government very imperfect in its practical operation under any form of constitution whatever. The Utopians and Perfectionists then will have nothing to do but to lay aside their fine, sun-shiny theories and live in the world the little time that is allotted to them, contented with the imperfections of government as they are obliged to be with the imperfections of everything else.

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can exercise if they choose; but which for most of the time they choose to give into the hands of their leaders, to be exercised without much responsibility to them. The responsibility is all to attach to their leaders and not to the people.

As soon as I was announced as a candidate for governor the Mormon question was revived against me, as being the heir of the lamented Snyder. But it could not be made to work much against me. I had been as little concerned in the passage of the Mormon charters as my opponent. Of course, in a State so decidedly democratic I was elected by a large majority. The banks, the State debt, the canal, and the Mormons, together with the general politics of the Union, were the principal topics of discussion during the canvass. Topics of local interest, however, had but little influence on the result of the election. The people of Illinois were so thoroughly partisan upon the great question of the nation that matters merely of local concern, though of vital importance to the people, were disregarded.

To sum up, then, this was the condition of the State when I came into office as governor. The domestic treasury of the State was indebted for the ordinary expenses of government to the amount of about \$313,-

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ooo. Auditor's warrants on the treasury were selling at fifty per cent discount, and there was no money in the treasury whatever; not even to pay postage on letters. The annual revenues applicable to the payment of ordinary expenses, amounted to about \$130,000. The treasury was bankrupt; the revenues were insufficient; the people were unable and unwilling to pay high taxes; and the State had borrowed itself out of all credit. A debt of near fourteen millions of dollars had been contracted for the canal, railroads, and other purposes. The currency of the State had been annihilated; there was not over two or three hundred thousand dollars in good money in the pockets of the whole people, which occasioned a general inability to pay taxes. The whole people were indebted to the merchants; nearly all of whom were indebted to the banks, or to foreign merchants; and the banks owed everybody; and none was able to pay.

To many persons it seemed impossible to devise any system of policy out of this jumble and chaos of confusion which would relieve the State. Every one had his plan, and the confusion of counsels among prominent men was equalled only by the confusion of public affairs.

## Chapter 9

### FINANCIAL ILLS AND LEGISLATIVE REMEDIES, 1842

**O**BSTRUCTIONS to the success of wise policy which would relieve the State from these multiplied evils were to be found in the character, varieties, and genius of the masses of the people; and in the motives, aims, and enterprises of politicians; some account of which is necessary to a right understanding of the future action of government. The State is about four hundred miles long from north to south and about one hundred and fifty miles wide from east to west. This shape of the State naturally divided the legislature into representatives from the south and representatives from the north, and under any circumstances a State so long in proportion to its breadth must contain much of the elements of discord. The southern portion of the State was settled principally by people from the slaveholding States; the north principally from New York and New England. The southern people were generally poor; they were such as were not able to own slaves in

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a slave State, and who came here to avoid slavery. A poor white man in a slave State is of little more importance in the eyes of the wealthy than the negroes. The very negroes of the rich call such poor persons "poor white folks." The wealthy immigrant from the slave States rarely came here. He moved to some new slave State, to which he could take his negroes. The consequence was that our southern settlements presented but few specimens of the more wealthy, enterprising, intellectual, and cultivated people from the slave States. Those who did come were a very good, honest, kind, hospitable people, unambitious of wealth and great lovers of ease and social enjoyment.

The settlers from the North, not being debarred by our Constitution from bringing their property with them, were of a different class. The northern part of the State was settled in the first instance by wealthy farmers, enterprising merchants, millers, and manufacturers. They made farms, built mills, churches, school-houses, towns, and cities; and made roads and bridges as if by magic; so that although the settlements in the southern part of the State are twenty, thirty, forty, and fifty years in advance on the score of age, yet they are ten years be-

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hind in point of wealth and all the appliances of a higher civilization.

This of itself was cause enough for discord between the two ends of the State. The people of the south entertained a most despicable opinion of their northern neighbors. They had never seen the genuine Yankee. They had seen a skinning, trafficking, and tricky race of peddlers from New England who much infested the West and South with tin ware, small assortments of merchandise, and wooden clocks; and they supposed that the whole of the New England people were like these specimens. They formed the opinion that a genuine Yankee was a close, miserly, dishonest, selfish getter of money, void of generosity, hospitality, or any of the kindlier feelings of human nature. The northern people formed equally as unfavorable an opinion of their southern neighbors. The northern man believed the southerner to be a long, lank, lean, lazy, and ignorant animal, but little in advance of the savage state; one who was content to squat in a log-cabin with a large family of ill-fed and ill-clothed, idle, ignorant children. The truth was both parties were wrong. There is much natural shrewdness and sagacity in the most ignorant of the southern people; and they are generally accumulating property as fast as

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any people can who had so little to begin with. The parties are about equal in point of generosity and liberality, though these virtues show themselves in each people in a different way. The southerner is perhaps the most hospitable and generous to individuals. He is lavish of his victuals, his liquors, and other personal favors. But the northern man is the most liberal in contributing to whatever is for the public benefit. Is a school-house, a bridge, or a church to be built, a road to be made, a school or a minister to be maintained or taxes to be paid for the honor or support of government, the northern man is never found wanting.

This misconception of character was the cause of a good deal of misunderstanding. The great canal itself, from Lake Michigan to the Illinois river, was opposed by some at an early day for fear it would open a way for flooding the State with Yankees. Even as popular a man as the late Lieutenant-Governor Kinney opposed it in a speech in the Senate on this ground. He said the Yankees spread everywhere. He was looking daily for them to overrun this State. They could be found in every country on the globe; and one strong proof to him that John Cleves Symmes was wrong in his theory of the earth was that if such an opening at the north pole



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as that theory supposed really existed the Yankees would have had a big wagon road to it long before its discovery by Mr. Symmes.<sup>19</sup> This want of concord in the two races of people was unfavorable to the adoption of the wisest means for public relief. In framing a wise policy for the future the success of the canal in the north was one indispensable item. But because it was in the north, and for no other reason that I can discover, it was liable to objection in other quarters.

Another obstacle of a like character was to be found in the motives, aims, and designs of politicians. As yet the people rarely elected members of the legislature with reference to any well-defined notions of State policy. As I have said before both parties were so thoroughly partisan upon the great contests upon national questions that local affairs

<sup>19</sup>John Cleves Symmes was a nephew of John Cleves Symmes, colonizer of the Miami Purchase, whose chief settlement was the city of Cincinnati. In 1826 the younger Symmes published at Cincinnati a volume entitled *Theory of Concentric Spheres, Demonstrating that the Earth Is Hollow, Habitable Within, and Widely Open About the Poles*. Symmes' theory attracted much contemporary attention and was the subject of widespread ridicule. For a modern discussion of the subject see John W. Peck, "Symmes' Theory" in *Ohio Archeological and Hist. Pubs.*, XVIII, 28-42.

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were but little considered. Sometimes some question about the removal of a county seat or the division of a county might influence an election. As between the different parties it seemed to be more important to know whether a candidate for the legislature was for or against a United States Bank, a protective tariff, internal improvements by the federal government, or distributing the proceeds of the public lands; in fine, to know whether he was a whig or a democrat than to know his opinions of State politics. Of all the local questions calculated to influence elections that of the banks, I believe, was the only one which was generally considered.

But the great prevailing principle upon which each party acted in selecting candidates for office was to get popular men. Men who had made themselves agreeable to the people by a continual show of friendship and condescension; men who were loved for their gaiety, cheerfulness, apparent goodness of heart, and agreeable manners. Surly and stubborn wisdom stood no chance for office. The proud and haughty were proscribed. The scripture proverb, "Be humble that ye may be exalted," was understood altogether in a political sense.

One would think that nature herself had fitted out and indicated those who were to

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be the governors of this country; that in making some men mild, humble, amiable, obliging, and condescending, in other words in fitting some men to be popular and others to be unpopular, Providence itself had selected our rulers. This, however, would be a mistake. There are hundreds of popular men who have none of these gifts by nature. I have known numbers who in spite of nature could be kind, humble, friendly, and agreeable as the best. These are talents which can be acquired by a diligent practice. A friend of mine once informed me that he intended to be a candidate for the legislature but would not declare himself until within a few days of the election, and assigned as a reason "that it was so very hard to be *clever* for a long time at once." This same man by dint of practice afterwards acquired the art of being *clever* all the time. Of all the talents which most recommend a man to his friends is that of being merry, and of laughing agreeably. Even this may be acquired. I have seen hundreds of men who were morose, serious, sour, and even sulky by nature commence by forcing themselves into merriment and laughter, and so go on that in process of time it took the nicest discernment to determine whether their cachinations were genuine or counterfeit.

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Politicians generally knew better how to get an office than how to perform its duties. Statesmanship was but little studied; and indeed there is this difference all the world over between a statesman and a mere politician, that the true statesman looks to his whole country; he devises a system of measures, he sees the connection of one measure with another, and he makes them all work together for the common good; whilst the mere politician busies himself altogether in selfish projects to get office without caring much for the policy or measures he advocates after he gets into power. If he dabbles in measures at all he confines himself to something local or temporary or to measures of mere party; he is a one-idea man, for the view of his mind can never take in the whole field of public interest. Hitherto in Illinois the race of politicians has been more numerous and more popular with the people than the race of statesmen. The main reason of this has been that too many people vote to elect men as a favor to the officer, not with a view to require service from them. The elections have been made upon the principle that the officer is to be served, not the people.

Many of these politicians in the legislature made it a rule to vote against all new measures about which the opinions of the people

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were unknown; shrewdly calculating that if such a measure passed and became popular no one would inquire who had opposed it; but if it turned out to be unpopular, then they could show by the journals that they had voted against it. And if the measure failed of success and became popular the members who opposed it excused themselves to the people by pretending ignorance of the will of their constituents and by promising to be in its favor if again elected.

This kind of policy is said to have originated with John Grammar, long a representative or senator from Union county. He was elected to the territorial legislature about the year 1816 and was continued in the legislature most of the time for twenty years. It is said that when he was first elected, lacking the apparel necessary for a member, he and his sons gathered a large quantity of hazelnuts which were taken to the Ohio Saline and sold for cloth to make a coat and pantaloons. The cloth was the blue strouding used by the Indians for breechcloths. When it was brought home the neighboring women were assembled to make up the garments of the new member. The cloth was measured every way, cross, lengthwise, and from corner to corner, but still the puzzling truth appeared that the pattern

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was scant. The women concluded to make of it a very short bob-tailed coat and a long pair of leggins, which being finished and Mr. Grammar arrayed in them, he started for Kaskaskia, the seat of government. Here he continued to wear his leggins over an old tattered garment until the poetry bill (a partial appropriation) passed, when he provided himself with a pair of breeches. Mr. Grammar was a man who could neither read nor write and yet he had the honor to originate a practice which has been much followed by men of more pretensions.<sup>20</sup>

<sup>20</sup> John Grammar, whose legislative costume Governor Ford has immortalized, became a member of the Territorial House of Representatives in 1812 when Illinois entered upon the second grade of territorial government. The six members who composed this first Illinois House of Representatives were the legislative "Fathers" of the future Commonwealth. The inclusion of Grammar in such a body affords a characteristic illustration of the economic and social standards of the period. Grammar subsequently served several times in the territorial and state legislatures. Prof. Pease states that he was not actually illiterate, and adds that he was "a favorite peg to hang stories on in early Illinois." Letter of January 21, 1946. "Poetry bill" was the contemporary designation of the bills appropriating the salaries paid to members of the Illinois Legislature. For further information and references concerning John Grammar the Editor is indebted to J. Monaghan and Margaret A. Flint of the Illinois State Historical Library.

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Such demagogism could not succeed in any very enlightened country. The Valley of the Mississippi had so constantly increased in numbers, so far beyond the means of education, that it is doing ourselves no injustice to admit that there is some ignorance amongst us. But this evil must be corrected; education must be more encouraged; knowledge must be made more abundant; more of the people must be taught the power of thinking. An elevated, numerous democracy must be created, which shall destroy the power of the few who monopolize intellect. Intellectual power is power of the most fearful kind; and it is folly to talk of equal rights and equal laws where some few have it and the many have it not. Where this is the case it is folly to talk of self-government. An ignorant people who attempt self-government are, by a fixed law of nature, obliged to fail in the attempt; they may think that they govern themselves when they are only led by the nose by their demagogues. A government of demagogues is only better than anarchy.

The members of the legislature, after having been elected, feeling victorious and triumphant over their adversaries at home, come up to the seat of government in a happy state of exaltation of mind and self-

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complacency which makes the compliments and flattery with which they are received most soothing and agreeable. The whole world of aspirants for office comes with them. A speaker of the lower house and officers of the two houses are to be elected the first thing. For these offices there are many candidates. I have known more than a hundred candidates for door-keepers of the two houses. Besides these, there are numerous candidates for secretaryships and clerkships. The members exhibit themselves in public places, where they can be approached, complimented, flattered, supplicated, and teased by the several aspirants for office, who fly round from one member to another with great glee and activity, making themselves agreeable, until after the election. After these elections are over there is, in two sessions out of three, a United States Senator to be elected; and every session the legislature elects an auditor of public accounts, State treasurer, public printer, attorney-general, and States' attorneys for the several circuits; and fills vacancies on the bench of judges. These elections are not all brought on at once, but a few of them at a time only, so as to keep a number of aspirants at the seat of government during the whole session and husband the importance of the members



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of the legislature, which in a great measure would be expended and gone by more prompt action in disposing of the seekers for office.

It is during a session of the legislature that all political arrangements are made for the next campaign. Here it is decided who are to be the next candidates for governor and United States Senator, and who to go to Congress from the various districts. It is true that conventions are afterwards held to make the nominations in conformity to what is here agreed; and here too it is determined who are to be recommended for office to the general government. However much the members of the legislature may lack in learning, they are generally shrewd, sensible men, who, from their knowledge of human nature and tact in managing the masses are amongst the master spirits of their several counties. They are such generally as have cultivated the arts of popularity; know how to shake hands with the appearance of cordiality and friendship; are good-natured and social; possess a talent for smiling and laughing in a pleasing way; and of saying agreeable things in conversation. The great majority of them are fired with an ambition either to get back to the legislature or to be elected or appointed to some other office. This puts them upon the alert to preserve

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their popularity. New measures are considered more with reference to the reception they may meet with at home than to their utility or wisdom. The question in such a case is, how will such a measure take with the people? how can an adversary in his own or the opposite party build an objection on it to the member who has voted for or against it? and how is it to affect his next election, or his party standing? Many members thus guess their way through a whole session; and experience has proved that they have oftener guessed wrong than right; for a fifth part of them never get back to the legislature, and those who do are such as consider the wisdom and soundness of measures, such as have the courage, the ability, and go home with the determination, to defend their acts by an appeal to the judgments of their fellow citizens.

Very many public men for the sake of present popularity do wrong knowingly to secure future power which they may never get. If it were the practice for no one ever to seek or decline office, to be contented without it, and to accept it as a mere duty, then there would be no motive to do wrong, but every motive to do good, during a short continuance of power. But this I fear can never be carried out in practice. The office-

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seeking propensity is wonderful indeed; there seems to be no sufficient reason for it. Office is not clothed with the profit, power, or honor to make it desirable for either. We every day see private men who are more honored and wealthy than any who are in office. In our government the jealousy of liberty disarms all offices of power; the popular notions of economy will not allow them to be profitable; nearly one-half the people in party times, so far from honoring a public officer take a pleasure in despising him; and the leaders among his own political friends, unless he is the great leader of a party, will take care that he shall not have much credit.

The out-door politicians, who are called "lobby members," and who come up to the seat of government for office, are much like the members themselves except that they are more talented and cunning. They are men who take to politics as a trade and business and means of living. They seek to control the legislature in the disposal of offices, and are themselves divided into a hundred little cliques and factions working with or against each other as concurrence or opposition may be most advantageous.

A popular member of the lobby is apt to be some lawyer who practices in several counties. He gets acquainted with the lead-

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ing men of his party in each county. He aids in getting popular men nominated as candidates for the legislature. He makes speeches for the cause and aids his friends to be elected. As he is naturally superior to them, it is no wonder if they look to him for advice and assistance in performing their arduous duties. By such means he will contrive to control four or five members of the legislature. This he will make known to all the world but the members themselves. He is then looked to as a man of importance. He has so many transferable votes in the legislature. He is courted, caressed, and promised support in his own views in return for his countenance to the projects of others. A lobby member will make but a poor figure without some such capital; and as he comes to the seat of government only as a seeker of office he never troubles himself about measures unless they are strictly of a party character. Other great measures which may make or ruin the country he takes no interest in, unless they can be made helpers to office. In and out of the legislature the machinery of government is more considered than the measures of government. The frequent legislative elections; the running to and fro of the various cliques and factions before each election; the anxiety of members for their popu-

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larity at home; the settlement of plans to control future elections, to sustain the party in power on the one side and to overthrow it on the part of the minority, absorb nearly the whole attention of the legislature and leave but little disposition or time to be devoted to legitimate legislation. So much is this the case that the most important measures, such as may have the greatest influence upon the well-being of the present and all future generations, pass through the two houses or are rejected almost without debate and frequently without notice. Of the many common-school laws which have passed our legislature I have never known but one which called forth any general interest.

There are two kinds of professional politicians; though they both aim at the same thing,—the acquisition of office. The one sort are clever, timid, moderate, and accommodating; the other kind are bold, sanguine, and decided. The first sort will agree for the time being to anything and with anybody. These men aim to be affable, pleasant, facetious, and agreeable. They make it a matter of calculation never to contradict, to advocate no opinion, to give no offence, to make no enemies, and to be amiable and agreeable to all. They are called by the others “milk and water men,” and are much despised by

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the bold, decided ultraist. Sometimes the "milk and water" man has the advantage; for as he swims and slides easily and smoothly along, never contradicting, accommodating to all, and friendly to all, he has frequently to be taken up in party contests as the most available candidate. The other sort of professed politicians are the men of energy and action. They are the foremost in the fight with the common enemy. They are the orators for the people; the writers for the newspapers; the organizers and disciplinarians of party; the denouncers of treachery and defection; and work night and day for victory in the party contests. They are always much despised by the opposite party in politics; and are always selected as especial objects of abuse and detraction. The minority party frequently has credit enough to destroy the popularity of a champion of the enemy, even with his own party. He is hated among the best men of his opponents. These opponents may have no direct political influence out of their own ranks; but many of them are credited as gentlemen of veracity; their statements in relation to mere persons are believed, even by political opponents. These statements, though often prompted by political hatred, are uttered boldly and with an appearance of candor by men who

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are fair dealers, good neighbors, and known to speak the truth in all matters of neighborhood concernment. The popularity of the champion is destroyed. He cannot get all the votes of his own party, and not one from amongst his opponents. He is no longer considered to be an available candidate and has to give place, in all doubtful contests, to his inoffensive milk and water compatriot. For it is a rule with all parties to select only such candidates as can get the largest vote.

A politician, however, of the decided, sanguine kind, if he is a man of sense and tact, if he knows how far to go in the advocacy of his own party and when to stop; if he knows how to abuse the opposite party without giving personal offence; is in the surest road to advancement. This kind of politician is most usually for extreme measures. Nothing moderate will suit him. He must be in advance of everybody else. He aims to be a leader; and to be one he thinks he must be ahead in everything. In the democratic party he is an ultraist; he can hardly find measures sufficiently democratic to suit him. He is a tactician, a disciplinarian; ever belongs to some organization; never bolts a nomination and never votes against his own party. In the whig party he is an old federalist; he has no confidence in the people for

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self-government; he is in favor of a property qualification for electors and is always against the democrats, right or wrong, and against everything democratic, and firmly believes all the time that the country is just going to be ruined. But in whatever party he may be, whenever that party is dominant he aims to be considered a better party man, to work truer in the party harness than any one else, and if he can so distinguish himself he mounts at once to the leadership. All the active office-seeking tribe are first his allies and afterwards his followers. It is a fact well known that one party is governed by the office-holders and the other by the office-hunters.

Under such circumstances it would be strange indeed if there had been much disposition anywhere to make the future prosperity of the State a consideration paramount to all others.\*

Before I came into office the public mind was settled on nothing as the future policy

\*When Galena was first settled it is said that the only question asked concerning a newcomer was, whether he would steal or not? If it was answered that he would not steal he was considered a very honest man. So in elections it was now asked only whether a candidate was a whig or a democrat? If the answer to this was satisfactory the candidate was considered to be safe and a great statesman.



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of the State. The people of Bond county, as soon as the internal improvement system passed, had declared in a public meeting that the system must lead to taxation and utter ruin; that the people were not bound to pay any of the debt to be contracted for it; and that Bond county would never assist in paying a cent of it.<sup>21</sup> Accordingly, they refused to pay taxes for several years. When the system went down and had left the State in the ruinous condition predicted by the Bond county meeting many people remembered that there might be a question raised as to the obligation of payment. Public men everywhere, of all parties, stood in awe of this question; there was a kind of general silence as to what should be done. No one could foresee what would be popular or unpopular. The two great political parties were watching each other with eagle eyes to see that one should not get the advantage of the other. The whigs, driven to desperation by repeated ill success in elections, were many of them in favor of repudiation as a means of bettering their party. The Sangamon

<sup>21</sup>For some reason which only an Illinois historian can explain Bond County a century ago was a hot-bed of political and social ideas. Pease characterizes it as "that source of much propaganda in early Illinois." *The Frontier State*, 365.

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*Journal* and the *Alton Telegraph*, the two leading whig newspapers of the State, boldly took ground that the debt never could and never would be paid and that it was of no use to say anything more about it. Very many democrats were in favor of the same course, for fear of losing the power the democratic party already possessed. It was thought to be a very dangerous subject to meddle with. At a democratic convention which nominated Mr. Snyder for governor a resolution against repudiation, offered by Mr. Arnold of Chicago, was laid on the table by an overwhelming vote of the convention, so as not to commit the party one way or the other. It was evident that this was to be a troublesome question; and a great many of the politicians on both sides were as ready to take one side of it as the other; and their choice depended upon which might finally appear to be most popular. The whigs were afraid if they advocated the debt-paying policy the democrats would take the other side and leave the whigs no chance of ever coming into a majority. And the democrats feared that if they advocated a correct policy the other side might be more popular, and might be taken by the whigs. I speak only of the leaders of parties, amongst whom on all sides there was a strong suspicion that

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repudiation might be more popular than taxation.

It is my solemn belief that when I came into office I had the power to make Illinois a repudiating State. It is true I was not the leader of any party; but my position as governor would have given me leadership enough to have carried the democratic party, except in a few counties in the north, in favor of repudiation. If I had merely stood still and done nothing the result would have been the same. In that case a majority of both parties would have led to either active or passive repudiation. The politicians on neither side, without a bold lead to the contrary by some one high in office, would never have dared to risk their popularity by being the first to advocate an increase of taxes to be paid by a tax-hating people.

Such were the people and such were the great mass of politicians of the State of Illinois in 1842. In general, the legislature meant to do right and to do the best for the country; but here, as everywhere else, there were serious obstacles to contend with before the policy of the country in reference to the deplorable state of public affairs could be settled upon the best footing. I have already said that every one had a plan of his own to restore the State to prosperity; and

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it may not be improper to devote a page or two to some of them.

All parties proposed some mode of putting the banks into liquidation, except a few whigs and a very few democrats who would have been willing to compel them to a resumption of specie payments and continue their business. Of those who were in favor of winding them up a small portion declared in favor of repealing their charters; of the appointment of commissioners on the part of the State who were to take charge of their specie and other effects, pay their debts, and collect what was due to them. But much the larger portion finally favored a compromise by means of which the State would at once be paid for its stock, or nearly so; and the banks would settle their business and go out of existence under the direction of their own officers. The State Bank held \$1,750,000 of State bonds and \$294,000 in Auditor's warrants, together with scrip amounting in the whole to \$2,100,000, which it was willing to surrender at once and dissolve all further connection with the State. The bank at Shawneetown was willing to surrender a half-a-million immediately and to engage to pay the residue on a short credit. This bank held \$469,998 in Auditor's warrants which were to be surrendered as part of the first payment.

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There was no party in the legislature of 1842-43 in favor of an immediate increase of taxation to pay interest on the public debt. Many there were who wanted to do nothing for five or ten years; and to trust to luck and accident for the means of improvement. There were a very few who were in favor of repudiating the whole debt of the State, who denied the power of the legislature to bind the people by contracting it; and who were in favor of giving up to the public creditor all the property purchased with the borrowed money and all the public works constructed by it, as all that ever could or ought to be done in the way of payment. But the great majority of the legislature held different opinions. Resolutions were passed which clearly stated the inability of the State to meet its engagements and fully recognized our moral and legal obligation to provide for ultimate payment. To pay immediately was out of the question. Heavy taxation then would have depopulated the country and the debt would never be paid.

The State had purchased 42,000 acres of land under the internal improvement system; the United States had given us 210,000 acres more under the distribution law of 1841; we owned 230,467 acres of canal lands and 3,491 town lots in Chicago and other

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towns on the canal; we owned what work had been done on the canal itself; and various pieces of unfinished railroad in all parts of the State. And we also owned a large quantity of railroad iron and the stock in the banks. This property was our only resource short of taxation to pay the whole debt, and it became us to apply it to the best advantage.

One party proposed that an offer to the public creditors should be made of this property upon condition that they would finish the canal and as many of the railroads as they might choose to finish, and grant an acquittance of the whole debt by a surrender of public securities. It was evident that this plan could not succeed. Many of the State bonds were held in trust for orphans and for charitable purposes. The holders of such could not consent to, and if they did they could not comply with such an arrangement. But the larger portion of our debt was owned by heavy capitalists whose business it was to lend money to States and nations on a mere pledge of the public faith. It was clear that this class could better afford to lose all we owed them than to set the example of such a compromise to the borrowing world. If they made such an arrangement with Illinois they must soon expect similar proposi-

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tions from all other indebted States. Such an example would be contagious and would put an end to their business of lending by destroying the only security a nation can give—an unsullied public faith.

There were some few persons who were in favor of repudiating the whole debt, of setting the moral sense of mankind at defiance, and of absolutely doing nothing, and worse than nothing; for they proposed that in winding up the banks, by a total repeal of their charters, the public securities held by these institutions and which they were willing to surrender to the State in payment of its stock, should be put into the market and sold as assets; and that if after payment of the debts of the banks anything should be left to be divided among the stockholders, the share coming to the State should be used to purchase an equal sum in bonds.

During the summer of 1842 Justin Butterfield, an eminent lawyer of Chicago, had conversed with Arthur Bronson,\* one of the

\*Extract of a letter from George R. Babcock Esq., of the city of Buffalo, N.Y., to Justin Butterfield Esq., of Chicago, Illinois:

... "I have a distinct remembrance that Mr. Bronson spoke to you in the summer of 1842 at Chicago, on the subject of the unfinished canal; and asked if anything to render available the large expenditure which had been made upon; and to rescue the credit of

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the State from the abyss in which it was plunged. You replied, in substance, that the work would sooner or later be resumed; that a State so large and containing such elements of future greatness as Illinois would at some day not distant complete a work so essential to its prosperity, and that the canal and the canal lands would reimburse the cost of its construction. Mr. Bronson seemed gratified to find you so sanguine in your expectations and invited you to meet him at the Lake House that evening to confer farther on the subject of its details. In the evening there was a long discussion, mainly between Mr. Bronson and yourself, of the project, which, as I understand it, has been subsequently carried out by the State and its creditors. The leading feature of the plan, as I recollect it, was to induce the bond-holders to advance the funds necessary to complete the canal by a pledge of the canal, its lands, and revenues for the payment of the advance, and a stipulated priority of the payment of the stocks then held by the persons so making the advance; while those creditors who refused to contribute were to be postponed until the preferred debt should be discharged. I cannot say who suggested this plan, as I was not in the room when the conversation commenced. Mr. Bronson frequently expressed fears that the foreign bondholders would regard the offered priority as a lure to obtain more cash, as well as a fraud on those of their fellow sufferers who should not make the required advance. For this reason, I am of opinion that the plan was not suggested by Mr. Bronson. . . .

“GEORGE R. BABCOCK.”

It is due to Mr. Butterfield to say, that he mentioned this plan of getting money for the canal, and of the foregoing conversation with Mr. Bronson, some considerable time before Ryan's visit to New York in the fall of 1842. Mr. Butterfield also is entitled to the credit of



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great capitalists of New York, who was interested in our State stocks and a large landholder in the northern part of the State. Mr. Bronson was said to be a man of fine talents, deeply skilled in finance, and to possess the confidence of capitalists both in Europe and America.<sup>22</sup> Mr. Butterfield suggested to Mr. Bronson that if the canal property could be conveyed in trust to secure a new advance of money, and if the State creditors could be assured that the State intended to do something by way of taxation or otherwise to sustain its credit, something might be done to obtain money to complete the canal; which was agreed to by Mr. Bronson. Mr. Butterfield repeated this conversation to Mr. Michael Ryan; and Mr. Ryan, being afterwards drawing the canal bill of 1842-43, which was much more perfect when it came from his hands than after it had passed the legislature.

<sup>22</sup>A competent biography of Arthur Bronson would shed much important light upon the early development of the States around Lake Michigan. He was one of the first to perceive the future destiny of Chicago and to implement his faith by investing his money there. See M. M. Quaife, *Chicago's Highways Old and New*, 12-13. In common with other investors and speculators of the exuberant thirties, Bronson later experienced financial embarrassment, but this circumstance constitutes no reflection either upon his business integrity or his farsighted understanding of the future destiny of the then virgin Middle West.

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at New York, became acquainted with Mr. Bronson, Mr. Leavitt, and other wealthy persons of the eastern cities and of London. A plan was then devised, and approved by them, in pursuance of the suggestions of Mr. Butterfield, to the effect that the holders of canal bonds would advance \$1,600,000 (the sum reported to be necessary by the chief engineer) to complete the canal. In return for which, the State was to convey the canal property in trust to secure the new loan, as well as for the ultimate payment of the whole canal debt; and was to lay some moderate tax to pay some portion of the accruing interest on the whole debt.

Intimately connected with the success of this plan was the legislation we might adopt on the subject of the banks. If we proceeded with an insane violence, by repealing their charters at the very moment that we were chartering a company and inviting the investment of money to complete the canal, we could expect no less than to frighten capitalists away from the undertaking. We would show them at once that we professed to have the power, and in all probability would exercise it, to repeal the new one as well as the old. But there was a part of the democrats who believed in the right of the legislature to repeal all acts of incorporation,

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as well private as public. They had been fighting on this question for years and now was a good opportunity for putting it in force. The banks were odious to the people for long-continued and repeated delinquencies. It was certain to be popular to be in favor of the most extreme measures against them; so that when it became a question whether they should be strangled to death by slow degrees or delivered over to be scalped and tomahawked with barbarian ferocity many of the professional politicians decided for the most ultra course. This course, was indeed, the best for the politician, but it was the worst for the country. The politician might increase his reputation in his party, he might earn the name of a smashing democrat, but the canal would never be made and nothing would be done to restore the public credit.

Gov. Carlin, my immediate predecessor, though confessedly an honest man in his private dealings, recommended repeal in his valedictory message. When he first came to the seat of government he showed me his message, recommending wise, just, and honorable measures to the banks. He also showed me what he had prepared on the subject of repeal, assuring me that he had decided not to put it in. But shortly afterwards some of

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the ultraists got hold of him and induced him to alter his message by recommending repeal. This recommendation embarrassed me then and has embarrassed me ever since. Here was a respectable recommendation of something more ultra than I thought was warranted by the best interests of the State. It gave countenance to the ultraists; they could rally around it—win a character for stern and inflexible democrats. It at once put them ahead of the new governor and his friends. By the way, I will here remark that it is the constant trick of the wily, artful politician to affect ultraism. Many of them are without talents or merits of any other sort; and if they were not a little ahead of everybody else in espousing extreme measures there would be nothing of them at all. Gov. Carlin also, in his last message, despaired of the canal. He had not the genius to see how money might be raised to complete it except by petitioning Congress for an increased donation of land, then certain never to be granted.

There was quite a party out of the legislature, expectants of office and others, who hoped that if the banks were repealed out of existence and put into forcible liquidation some of them might be appointed commissioners and put in charge of their specie and

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effects. It was known that if the bank debts were paid *pro rata*, a large amount of specie would remain on hand for a year or more; the use of which could be made profitable in the meantime. Then there were to be bank attorneys and agents in collecting and securing debts; and the whole would furnish a handsome picking for the buzzards and vultures who hang about lobbies and surround legislatures.

As for myself, I decided at once in favor of a compromise; and I gave notice to all these greedy expectants of office who were hanging around with eyes straining to devour their substance that if the banks were repealed and the appointment of commissioners were vested in me none of them could expect an appointment. This I know cooled some of them.

This was the most important subject which came before the legislature of 1842. State stock to the amount of \$3,100,000 was at stake; the canal depended upon it; and it may be worth while to give a short statement of the argument on each side of the question.

It was said in favor of repeal, that the banks had so many times baffled the legislature the most decisive steps ought to be taken with them so as to put them to an end

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at once. The legislature ought to make sure work of it at once, now that they were assembled and had the power. The fact that they had violated their charters was notorious; the decision of which ought not to be left to the doubtful chance of a suit at law in the courts. That the charters ought to be repealed totally, so as forever to prevent the chance of their revival or resurrection by any future legislature. The bonds held by the banks ought to be sold to help pay their debts. The State as a stockholder had no more right than another to be paid for its stock and retire from the concern before the bank debts were paid. The specie would never be paid out *pro rata*; the circulation had been purchased and was now held by private stockholders, who would refuse to present it for payment in hopes that another legislature would renew their charters. The most stringent laws might be passed for the government of the banks, yet experience had shown that as long as they had life they would set all laws at defiance as soon as the Assembly adjourned; and the legislature would have to do at the next session what they had omitted to do now. The compromise proposed was a bad bargain for the State. The stock was worth more than the bonds; the assets of the banks were amply sufficient to pay all

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their debts and a dividend to the State as a stockholder which would greatly exceed the value of these bonds.

On the side of a compromise it was argued that if the banks had ever baffled the legislature it was in the day of their power when their bills were in credit, and they had money to lend to individuals and to pay the legislature. In the day of their power they had friends, many of whom were the first to desert them in their troubles and weakness. They were shorn of their strength. There were none so poor now as to do them reverence. It was folly to talk of the power of a broken bank in universal discredit with the people. They were too deeply and generally despised for any legislature of any party to revive them. It was just as likely that the internal improvement system would be revived. It would be the height of folly to suffer the bonds held by the banks to be sold. At present they were selling for only fourteen cents on the dollar. If \$2,500,000 were added to those already in the market the price must be greatly reduced. If we rejected an offer to get them up at once on such favorable terms and depended on a doubtful dividend to re-purchase them at a discount, if we declared it our policy to go into the market like a common swindler to purchase our own

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paper at less than its face, the whole world would know that we never intended to pay one cent of the public debt. A sale under such circumstances would be of but little use to the banks or their creditors, but would subject the State to certain loss or disgrace.

The advocates of repeal say that the banks are insolvent and cannot pay their debts if the bonds are not sold; in the next breath they say that the State is making a bad bargain; that the stock is worth more than the bonds, when it is plain that the stock is worth nothing unless the banks pay every dollar of their debt. But the truth is, the banks can pay their debts and will have something left for the stockholders. The creditors are in no danger of eventual loss. But if repeal is to succeed; if their specie and other effects are to be given in charge to public officers; neither creditors nor stockholders may ever get anything. Who are these public officers to be? Are they to be the public officers who mismanaged the old State Bank of 1821 and lost to the State more than its entire capital? Are they to be some of the late fund commissioners, whose blunders saddled the State with a million and a half of dollars in debt for which the first cent was never received? Are they to be the commissioners of the board of public works, whose



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reckless squandering of the public moneys will be memorable while time lasts? Or are they to be any of the same description of persons? And more particularly, are they to be taken from the hangers-on about the seat of government? We have had enough in our history of the management of money matters by public officers.

The legislature might repeal, but they were not clothed with all the power of this government. The banks were determined to contest their right to repeal. The Supreme Court of the United States had already declared against it in the Dartmouth College case.<sup>23</sup> They would get an injunc-

<sup>23</sup>Daniel Webster immortalized the Dartmouth College case in the public mind by "a famous flight of oratory having little bearing upon the point at issue." A quarrel between College trustees and president led to the enactment of measures by the State Legislature of New Hampshire designed to bring the College under the control of the State. The U.S. Court, in one of John Marshall's famous decisions, held that a charter, once granted, is a contract, thereby freeing existing corporations from the control of the states which created them. The decision was the cornerstone of the vast subsequent development of private corporations in the United States. In recent decades state governments have struggled with increasing success to recover the control thus lost to them. Wisconsin, for example, a generation ago passed an act requiring all corporations created subsequent to its passage to agree specifically to submit themselves to state control.

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tion from the federal court against our commissioners. The case would be litigated for years at home; it would then be carried to the Supreme Court of the United States. It would be years again before a final decision, and then it was as likely to be against us as for us. In the meantime, if the bank officers were so little to be trusted what security had we that their assets would not be devoured by the expenses of litigation or squandered by dishonesty?

More than all this, repeal was a violent measure. It was calculated to alarm capitalists. We were about to incorporate a company to complete the canal. We were not able to do it ourselves; our only hope was in a company. Capitalists, from whom alone the money to do it could be expected, would reasonably conclude that such a government could not be trusted. They might subscribe to the stock, expend their money, make the canal, and then some hurrah of a popular excitement would result in repealing them out of their rights.

It seemed to me that the arguments in favor of a compromise were conclusive on every point. The villainies charged upon the new owners of the Shawneetown Bank before the compromise bill passed were no worse than what could have been committed

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before any law whatever could have been passed by this legislature. No such law can be passed in less than six weeks and before the end of such a period a roguish directory could have committed much worse villainies than any which have been charged, and such would most probably have been committed, and no repealing act or after legislation could, as it did not, reach the mischief. But what availed argument or reason against the rapacity of hungry buzzards hunting profitable office, or against the low ambition of the professed politician who ever stands ready to sacrifice the best interest of his country so that he may be reckoned a first-rate party man; one of your "whole hog" fellows; and by such means stand on vantage ground as a candidate for office. Thank God, there were but few such patriots in the legislature.

A bill was brought into the House of Representatives in favor of a compromise with the State Bank and this important measure passed that body by a vote of 107 in the affirmative and 4 against it, on the ayes and noes as follows: Those who voted in the affirmative, were Messrs. Adams, Aldrich, Andrus, Arnold, Bailhache, Bibbons, Bishop, Blair, Blakeman, Bone, Bradley, Brown of Pike, Brown of Sangamon, Brown-

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ing, Bryant, Burklow, Busey, Caldwell, Canady, Cloud, Cochran, Collins, Compton, Cartwright, Davis of Bond, Davis of Williamson, Dickinson, Dollins, Dougherty, Douglas, Dubois, Edwards, Epler, Ervin, Ewing, Ficklin, Flanders, Fowler, Garrett, Glass, Gobble, Graves, Gregg, Green of Clay, Green of Greene, Haley, Hambaugh, Hannaford, Hanson, Harper, Hatch, Hick, Hicks, Hinton, Horney, Howard, Hunsaker, Jackson of McHenry, Jackson of Whiteside, Jonas, Kendall, Koerner, Kuykendall, Longworthy, Lawler, Lockhard, Logan, McBride, McClernand, McDonald of Calhoun, McDonald of Joe Daviess, McMillan, Manning, Miller, Mitchell, Murphy, Nesbit, Norris, Owen, Penn, Pickering, Pratt, Scott, Sharp, Shirley, Simms, Smith of Crawford, Smith of Hancock, Spicer, Starne, Starr, Stewart, Stockton, Tackerberry, Thompson, Vance, Vandever, Vinyard, West, Weatherford, Wheat, Whitcomb, White, Whitten, Woodworth, Yates, and Mr. Speaker—107.

Those who voted in the negative were: Messrs. Ames, Bell, Brinkley, and Loy—4.

This bill was drawn up by myself and agreed to by the bank. It was then shown to Mr. McClernand, the chairman of the finance committee of the lower house. The chairman called a meeting of the democratic

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members of his committee. Gen. Shields, Judge Douglas, and myself were invited to be present at their meeting. I was desirous of having the measure introduced as a democratic measure and for this reason the whigs of the committee were not invited to be present. The project was stated to the committee and all the members agreed to it but one, and he was soon argued out of his objections by Judge Douglas. The next day it was introduced into the lower house as a report from the finance committee. This circumstance put Mr. McClernand in the position of being its principal advocate; and it was soon known to be a favorite measure of the new administration. It at once met the approbation of all men of sense in the house; and in saying this I say only the truth of those four gentlemen who opposed it, none of whom, though respectable in other matters, to my certain knowledge was capable of entertaining two ideas about public affairs at the same time, of tracing the connection between them, or of conceiving the bare idea of a comprehensive system of State policy.

The opposition to the bill as yet was confined to the out-door hangers-on about the seat of government, many of whom expected, if the banks were repealed and put into forcible liquidation, to get some profitable jobs

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as commissioners and attorneys. Lyman Trumbull, Secretary of State, put himself at the head of this opposition. In taking this ground Mr. Trumbull was probably less influenced by a hope of pecuniary advantage to himself than by a desire to serve his friends, to be considered a thorough-going party man, and by a hatred of McClernand and Shields, who both favored the measure. His quarrel with McClernand sprung out of his appointment to the office of Secretary of State two years before.

McClernand was a member of the legislature in 1840, but not being an applicant then, Judge Douglas was appointed at the beginning of the session without opposition. But when Douglas was elected a judge of the supreme court towards the end of the session, McClernand incited his friends to get up in his favor a strong recommendation from the members of the legislature for the vacant office. It had been much the practice heretofore for the legislature to dictate to the governor by recommendation. A popular man in former times would be an applicant for an office. He got his friends in the legislature to sign a request that he might have the appointment. The governor was feeble and clothed with but little authority. The legislature came fresh from the people

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and were clothed with almost the entire power of government. They were soon to return again to their constituents. If the governor refused to oblige them they calumniated and denounced him and endeavored to render him odious to the people after their return home. Besides this, the legislature possessed most of the appointing power themselves. The governor might want some office himself in the future, and he always had a number of friends for whose sake he desired an influence with the assembly. In this view, the governor for the time being himself was usually obliged to be a kind of lobby member; and not infrequently might be classed as one of the hangers-on about the seat of government seeking to control the legislature in the bestowment of offices. He dreaded the anger of the members and would do everything to please them or to avoid their displeasure. In this mode the independence of the executive government was subverted, the two houses were tampered with and controlled, and the two branches of government, intended to be kept separate in their action, were blended and almost amalgamated into one. This will be looked upon as an evil. But as there are three distinct wills to be consulted in all matters of legislation it is perhaps, in the

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present state of imperfection of human nature, necessary that they should thus mutually operate on each other in order to produce that harmony of action which leads to concurrence in one direction. It is true that the executive and legislative powers are intended to be kept separate, and although they are in point of fact frequently blended into one, yet on great occasions when the public liberties might be endangered by their union the power of resistance is still capable of being exerted by each department.

But to go back to the quarrel between McClernand and Trumbull. Governor Carlin had already allowed the members of the legislature and his political friends to dictate to him the appointment of McClernand on a former occasion. He had lately yielded to similar dictation in the appointment of Douglas, in opposition to his own wishes; for he had previously promised the office to Isaac N. Morris of Quincy. He had in fact invited Morris to Springfield to receive the appointment. But on the arrival of the governor at the seat of government he was saluted with a legislative recommendation in favor of Douglas which at that time, the beginning of the session, he was unwilling to refuse. Douglas was appointed; and the governor in his turn subsequently used his



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influence with the legislature to get Morris elected to the office of president of the board of canal commissioners.

But this contest between McClernand and Trumbull took place at the close of the session when the governor had nothing more to hope or to fear from that legislature or any other during the balance of his term. This made him more independent, and he now resolved to resist legislative dictation.

Trumbull was nominated to the Senate; and McClernand and Shields immediately went to work in that body to procure the rejection of his appointment. They came within a vote or two of defeating his nomination.

Ever since this there had been no good feeling between McClernand and Trumbull. As soon as McClernand took his position on the bank question, Trumbull arrayed himself in opposition. He pretended that McClernand's measure was not sufficiently democratic; in fact, that nothing could be democratic in relation to the banks but to tear them up and destroy them root and branch; and he hoped to fasten upon McClernand the imputation of being a "milk and water democrat" and thus lower him in the estimation of the party. At the instance of Ebenezer Peck, the clerk of the supreme court, and some others he put up a notice

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that he would address the lobby on the subject in the evening after the legislature had adjourned. Most of the members attended to hear his discourse. In this speech he put forth many of the common arguments against banks; and most of the objections heretofore stated to the compromise bill.

The next day McClernand, who possessed a kind of bold and denunciatory eloquence, came down upon Trumbull and his confederates in a speech in the House; which for argument, eloquence, and statesmanship was far superior to Trumbull's. This speech silenced all opposition thereafter to the bill in the House of Representatives.

The out-door opposition after this, foreseeing a signal defeat in the House, turned their attention to the Senate. This body was composed of fewer members and it was hoped would be more easily managed than a more numerous assembly like the lower House. One of the Senators was put at the head of it who was a man of but a poor education and narrow capacity and had adopted the profession of the law.<sup>24</sup> His first schooling

<sup>24</sup>The unnamed subject of Governor Ford's merciless castigation was James H. Ralston, who in 1841 was defeated in the election of members of Congress by John T. Stuart, by a vote of 21,698 to 19,553. Pease, *The Frontier State*, 285.

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in the practice was as a justice of the peace, in the course of which he learned more of the captious pettifogging arts of his profession than of the science of jurisprudence. He was afterwards elected to the legislature, and here he supported the railroad system. He had been one of the most zealous supporters of that disastrous measure; but he was yet impudently confident in the infallibility of his own judgment, just as though he had never so greatly erred. He was next elected by the legislature to be a judge of the circuit court. As a judge he knew just enough of law and had practiced enough in its quibbles to obliterate from his heart the instinct in favor of natural justice, without supplying its place by the lights of science. In this capacity he seemed to think that the great secret of judicature consisted in giving full effect to quibbles and technical objections, so much so that it was a rare thing for substantial justice to be done in any case before him. An unlearned lawyer or judge with a cramped understanding like his is almost sure to take up the idea that the true way to win a reputation is to show a superior dexterity in finding and giving effect to learned quibbles and trifles, to the total neglect of the great principles of law and justice. He forgets that courts were established to do

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right between man and man, and only remembers the forms of proceeding. These forms he looks upon as something sacred and holy, and are not to be jostled aside by the demands of natural right. A more enlightened judge places his glory in showing that he is not ignorant of the little sort of learning, and in finding good legal reasons for making it all bend to the great object of all judicature, the administration of substantial justice.

This man was also one of those small-minded men who, as speakers, are always equal on every subject. If he spoke upon a small subject he would raise it and magnify it; if upon a large one, he would reduce it and belittle it to suit his capacity. If he spoke upon a great subject involving the discussion of great principles and the expression of great ideas his mode would make them look small. Any one seeing such things through the medium of one of his speeches would think he saw a large object through a telescope with the little end foremost, which makes objects that are large and near at hand appear to be very far off and very little.

He was elected to the senate in 1840. At that session he voted under executive influence for the bank suspension of that year, and for the State Bank to have the privilege

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of issuing one-dollar notes. In 1841 he was a candidate for Congress and found himself very unpopular with the democratic party in consequence of this vote, so that he was beaten in his election by a very large majority. In 1842 he undertook to recover the confidence of the party by more than ordinary violence against banks. He must have persuaded himself that as he had lost the confidence of his friends by too much servility to banks, the way to recover it and wipe out the memory of former delinquency was to err as far on the other side by a senseless opposition now that they had lost their power; and the interests of the State required that they should be dealt with upon principles of sound wisdom. His effort, however, did not succeed, for he has never had the confidence of any party since.

In the Senate the whole out-door opposition was let loose upon the bill. Trumbull took his stand in the lobby and sent in amendments of every sort to be proposed by Crain of Washington, Catlin of St. Clair, and others. The mode of attack was to load it down with obnoxious amendments so as to make it odious to its authors; and Trumbull openly boasted that the bill would be so altered and amended in the Senate that its framers in the House would not know their

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own bantling when it came back to them. From this moment I determined to remove Trumbull from the office of Secretary of State. From the nature of his office he ought to have been my confidential helper and adviser; and when he found that my course was against his principles, if really it was against them, he ought to have resigned. If he did not do so I was bound, in duty to myself and to the public, to remove him and get some other person who would be willing to render this assistance. This was the principle established by the democratic party in the memorable contest between Field and McClernand.

The obnoxious amendments were rejected and the bill passed by a large majority, and was approved by the council of revision. Judge Douglas, notwithstanding he had advised the measure before the finance committee, voted against it in the council. A bill somewhat similar passed in relation to the Shawneetown Bank. By these two bills the domestic treasury of the State was at once relieved and another debt of \$2,306,000 was extinguished immediately.

The legislature at this session also passed laws for the sale of State lands and property; for the reception of the distributive share of the State in the proceeds of the sales of the

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public lands; for the redemption of interest bonds hypothecated to Macalister and Stebbins; and for a loan of \$1,600,000 to complete the Illinois and Michigan canal. By these various laws provision was made for the reduction of the State debt to the amount of eight or nine millions of dollars. This was the best that could be done, and it is wonderful, under the circumstances, that so much could be accomplished.

From this moment the affairs of the State began to brighten and improve. Auditors' warrants rose to 85 and 90 per cent. State bonds rose from 14 to 20, 30, and 40 per cent. The banks began to pay out their specie, and within three months' time the currency was restored, confidence was increased in the prospects of the State, and the tide of emigration was once more directed to Illinois.

These were all measures of intrinsic wisdom; but it is amusing to read over the high-sounding titles of the laws which were passed to carry them into effect, as if it were absolutely necessary to humbug the people into the support of the wisest measures of public policy. Accordingly, we read in the statutes of "An act to diminish the State debt, and to put the State Bank into liquidation." "An act to diminish the State debt one mil-

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lion of dollars, and to put the Bank of Illinois into liquidation." "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt." "An act to provide for the sale of the public property, and for the payment of the public debt;" and "An act to provide for a settlement with Macalister and Stebbins, and further to diminish the State debt." These high-sounding titles were given to these several laws with a view to set off the strong and anxious desire of the people for the reduction of the State debt against the popular prejudice against the defunct banks, which it was foreseen would be invoked to humbug the people into an opposition to these acts and those who supported them, and to build up the reckless men who had opposed them. It was probably a fair game of humbug against humbug.

The legislature at this session passed a very important law on the subject of the collection of private debts. During the inflation of the bank currency and the credit system, so called, every one had got into debt. The merchants had purchased on a credit and they had again sold on a credit. This system brought a great many goods into the State; more than the people, according to their means, ought to have consumed. But the



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merchants were anxious to sell and freely credited the people up to about the value of their property. The destruction of the currency made payment impossible. Such a calamity had fallen on the people only about twenty years before; and if a capacity had existed of being profited by experience, it ought now to have been avoided. But it is lamentably true that communities in the aggregate scarcely ever profit by the lessons of experience. The same evils and calamities, and from the same causes, occur again and again and find the people as little expecting them, every time they are repeated, as they were before; and they are every time just as blind about the remedy.

The people in 1820 had brought the same evils on themselves. They then sought a remedy in a State bank with stays of execution. The bank policy was now too odious to be thought of; but the legislature this time adopted a novel expedient which had not been thought of by any former legislature in the world. They passed a law providing that when an execution was levied upon property the property should be appraised by three householders under oath to its value in "*ordinary times*;" and no such property could be sold for less than two-thirds of its value thus ascertained. The Supreme Court

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of the United States afterwards pronounced this law to be unconstitutional and void. In the meantime it had some good effects. A vast number of debts were paid by arrangements and trades of property voluntarily made between debtor and creditor. It destroyed and checked up unwarrantable credit by alarming the creditor part of the community, and has made them more careful in extending credit in future.

It has appeared to me that there are two modes in which a sound credit may be established. One mode may be to let loose the full vigor and severity of law, as in England, upon the debtor, and thus make mankind afraid to go in debt beyond their ability to pay with ease. The other may be to take away all efficient remedies from the creditor to recover his debt and make him rely upon the honor and integrity of his debtor for payment. In this mode no one would get credit on account of being rich. Credit would be no longer given to the mere possession of property. Because such a one might be a rogue and deny his debt; but if honest, he would never contract for more than he was able to pay; and he would make extraordinary exertions to meet his engagements. In this mode the advantages of credit would be a reward for integrity and punctuality.

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The system for the collection of debts by law in Illinois has never been one thing or the other. A kind of inefficient remedy has been held out to the creditor which might succeed in making a debt from an honest man, but never from a rogue. The ease with which it could be evaded put the debtor part of the community under strong temptation to dishonesty. If a creditor, no longer to be put off by fair promises, sues for his debt at law the debtor leaves him to his remedy thus chosen. He satisfies his conscience by a train of reasoning of this sort: "If I had not been sued I would have paid as soon as I possibly could. My creditor is not disposed to rely on my honor, he has sued me at law, and thereby chosen mere legal means to recover his debt. He does not rely upon me any longer. Now let him get his money as soon as the law will give it to him. I feel absolved in conscience from making any further efforts to pay, and will be justified in throwing all the obstacles in his way which the forms and delays of the law can furnish." He immediately goes to work to continue the cause from term to term, to appeal the judgment, when obtained, from court to court; and, as a last resort, he has a favorite mode of defeating his creditor in legal proceedings, as it is generally called, by beating

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him on the execution. This mode of defence supposes the debtor to make fraudulent sales of his property, or to run it out of the country. All such delusive remedies ought to be abolished immediately. It were better to have none. They can only serve to make rogues and demoralize the people.

## Chapter 10

POLITICS AND MORMONISM,  
1843-1844

WE turn again to the history of the State as connected with the Mormons. This people had now become about 16,000 strong in Hancock county and several thousand more were scattered about in other counties. As I have said before, Governor Carlin in 1842 had issued his warrant for the arrest of Joe Smith, their prophet, as a fugitive from justice in Missouri. This warrant had never been executed and was still outstanding when I came into office. The Mormons were desirous of having the cause of arrest legally tested in the federal court. Upon their application a duplicate warrant was issued in the winter of 1842-43 and placed in the hands of the sheriff of Sangamon county. Upon this Joe Smith came to Springfield and surrendered himself a prisoner. A writ of habeas corpus was obtained from Judge Pope of the federal court and Smith was discharged.<sup>25</sup>

<sup>25</sup>Smith went to Springfield attended by 40 members of his Nauvoo Legion "armed to the hilt with bright

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Upon this proceeding the whigs founded a hope of obtaining the future support of the Mormons. The democratic officers in Missouri and Illinois were instrumental in procuring his arrest. He was discharged this time by a whig judge; and his cause had been managed by whig lawyers. As in the case decided by Judge Douglas, Smith was too ignorant of law to know whether he owed his discharge to the law or to the favor of the court and the whig party. Such was the ignorance and stupidity of the Mormons generally that they deemed anything to be law which they judged to be expedient. All action of the government which bore hard on them, however legal, they looked upon as wantonly oppressive; and when the law was administered in their favor they attributed it to partiality and kindness. If the stern duty of a public officer required him to bear hard on them they attributed it to malice. In this manner the Mormons this time were made to believe that they were under great obligations to the whigs for the discharge of their prophet from what they believed to be the persecutions of the democrats; and they

muskets and brighter bayonets." The Prophet proved a sensation in the capital city and he became the lion of the moment. See Brodie, *No Man Knows My History*, 327-29.

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resolved to yield their support to the whig party in the next election.

An election for Congress in the Mormon district was to come off in August, 1843. Cyrus Walker was the candidate on the part of the whigs and Joseph P. Hoge on the part of the democrats; both of them distinguished lawyers. The Mormons very early decided to support Mr. Walker, the whig. But owing to causes which I will relate they were induced to change their resolution; and this was the cause in a great measure of that wonderful excitement which subsequently prevailed against that people.

Dr. John C. Bennett, heretofore mentioned as an influential favorite of the Mormon leaders, had been expelled from the Church in 1842. By publications and lectures delivered in various parts of the United States he undertook to expose the doctrines, designs, and government of the Mormons and to do them all the injury in his power. A part of his plan was to get up a new indictment against Joe Smith and Orrin P. Rockwell for an attempt to murder Gov. Boggs in Missouri. An indictment was found in Missouri against Smith and Rockwell on the 5th of June, 1843. On the 7th a messenger from Missouri presented himself to me with a copy of the indictment and a new demand

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from the governor of Missouri. A new warrant, in pursuance of the constitution of the United States, was issued and placed in the hands of a constable in Hancock.

This constable and the Missouri agent hastened to Nauvoo to make the arrest, where they ascertained that Joe Smith was on a visit to Rock river. They pursued him thither and succeeded in arresting him in Palestine Grove, in the county of Lee. The constable immediately delivered his prisoner to the Missouri agent and returned his warrant as having been executed. The agent started with his prisoner in the direction of Missouri, but on the road was met by a number of armed Mormons who captured the whole party and conducted them in the direction of Nauvoo. Farther on they were met by hundreds of the Mormons, coming to the rescue of their prophet, who conducted him in grand triumph to his own city. Cyrus Walker, the whig candidate for Congress, was sent for to defend him as a lawyer; a writ of habeas corpus was sued out of the municipal court; Mr. Walker appeared as his counsel and made a wonderful exertion in a speech three hours long, to prove to the municipal court, composed of Joe Smith's tools and particular friends, that they had the jurisdiction to issue and act on the writ



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under the ordinance of their city.<sup>26</sup> Mr. Hoge also, the democratic candidate, had gone to Nauvoo seeking the votes of the Mormons. He and Mr. Walker were both called upon in a public assembly of the Mormons to express their opinion as to the legality of this ordinance of the city giving to the municipal court power to issue writs of habeas corpus in all cases of imprisonment, and both of them gave their solemn opinion in favor of the power. Thus the Mormons were deluded and deceived by men who ought to have known and did know better. It was a common thing for this people to be eternally asking and receiving advice. If judicious and legal advice were given to them they rejected it with scorn, when it came in conflict with their favorite projects; for which reason all persons designing to use them made it a rule to find out what they were in favor of and advise them accordingly.

<sup>26</sup>Brodie characterizes Walker—perhaps unwarrantedly—as “the greatest criminal lawyer in Illinois.” For his service in saving Smith from the Missourians he exacted a fee of \$10,000 and the promise of Smith to deliver the Mormon vote to him in the coming elections. See *No Man Knows My History*, Chap. XXV. The promise concerning the Mormon vote was subsequently repudiated, and this circumstance proved a moving factor in inducing the whig determination to expel the sect from Illinois.

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In this mode the Mormons relied for advice, for the most part, upon the most corrupt of mankind, who would make no matter of conscience of advising them to their destruction, as a means of gaining their favor. This has always been a difficulty with the Mormons, and grew out of their blind fanaticism, which refused to see or to hear anything against their system, but more out of the corruption of their leaders, whose objects being generally roguish and rotten required corrupt and rotten advisers to keep them in countenance.

The municipal court discharged Joe Smith from his arrest; the Missouri agent immediately applied to me for a militia force to renew it; and Mr. Walker came to the seat of government, on the part of the Mormons, to resist the application. This was only a short time before the election. I was indisposed from the first to call out the militia and informed Mr. Walker that my best opinion then was that the militia would not be ordered; but as many important questions of law were involved in the decision, I declined then to pronounce a definite opinion.

The truth is that, being determined from the first not to be made a party to the contest between Walker and Hoge, and knowing

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that Walker only wanted my decision to carry back to the Mormons as a means of his success, I ought to have withheld it if for no other reason but this. It was afterwards, upon mature consideration, decided not to call out the militia, because the writ had been returned as having been fully executed by the delivery of Joe Smith to the Missouri agent; after which it was entirely a question between Missouri and Smith, with which Illinois had nothing to do except to issue a new warrant if one had been demanded. The governor in doing what he had done had fulfilled his whole duty under the constitution and the laws. And because Smith had not been forcibly rescued, but had been discharged under color of law by a court which had exceeded its jurisdiction, and it appeared that it would have been a dangerous precedent for the governor, whenever he supposed that the courts had exceeded their powers, to call out the militia to reverse and correct their judgments. Yet for not doing so I was subjected to much unmerited abuse.

However, the democratic managers about Nauvoo, after the usual fashion of managing the Mormons by both parties, terrified them if they voted for the whig candidate, as they were yet determined, with the prospect of the militia being sent against them.

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Backenstos, a managing democrat of Hancock county, was sent as a messenger to Springfield to ascertain positively what the governor would do if the Mormons voted the democratic ticket. I happened to be absent at St. Louis, but I heard some weeks after the election that Backenstos went home pretending that he had the most ample assurances of favor to the Mormons so long as they voted the democratic ticket. And I was informed by the man himself, a prominent democrat of Springfield, on the 9th day of October, 1846, for the first time, that during my absence he had given a positive pledge in my name to Backenstos that if the Mormons voted the democratic ticket the militia should not be sent against them. This pledge, however, he took care never to intimate to me until more than three years afterwards. Since the Mormons have become so unpopular and since the most of them have left the State, so that they can no longer be a support to any one, this man, following the example of hundreds of others of a similar class, has joined the anti-Mormon excitement, and has been a strong advocate for the expulsion of the Mormons and all who sought to do them but simple justice. This indicated only that the power in Hancock had got into the hands of the anti-

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Mormons. The mission of Backenstos produced a total change in the minds of the Mormon leaders. They now resolved to drop their friend Walker and take up Hoge, the democratic candidate. Backenstos returned only a day or two before the election, and there was only a short time for the leaders to operate in. A great meeting was called of several thousand Mormons on Saturday before the election. Hyrum Smith, patriarch in the Mormon Church and brother to the prophet, appeared in this great assembly and there solemnly announced to the people that God had revealed to him that the Mormons must support Mr. Hoge, the democratic candidate. William Law, another great leader of the Mormons, next appeared and denied that the Lord had made any such revelation. He stated that to his certain knowledge the prophet Joseph was in favor of Mr. Walker and that the prophet was more likely to know the mind of the Lord on the subject than the patriarch. Hyrum Smith again repeated his revelation with a greater tone of authority. But the people remained in doubt until the next day, being Sunday, when Joe Smith himself appeared before the assembly. He there stated that "he himself was in favor of Mr. Walker and intended to vote for him; that he would

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not, if he could, influence any voter in giving his vote; that he considered it a mean business for him or any other man to attempt to dictate to the people who they should support in elections; that he had heard his brother Hyrum had received a revelation from the Lord on the subject; that for his part he did not much believe in revelations on the subject of elections; but brother Hyrum was a man of truth; he had known brother Hyrum intimately ever since he was a boy and he had never known him to tell a lie. If brother Hyrum said he had received such a revelation, he had no doubt it was a fact. When the Lord speaks let all the earth be silent."

This decided the Mormon vote. The next day Mr. Hoge received about three thousand votes in Nauvoo, and was elected to Congress by six or eight hundred majority. The result of the election struck the whigs with perfect amazement. Whilst they fancied themselves secure of getting the Mormon vote for Mr. Walker the whig newspapers had entirely ceased their accustomed abuse of the Mormons. They now renewed their crusade against them, every paper was loaded with accounts of the wickedness, corruptions, and enormities of Nauvoo. The whig orators groaned with complaints and denun-

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ciations of the democrats who would consent to receive Mormon support, and the democratic officers of the State were violently charged and assaulted with using the influence of their offices to govern the Mormons. From this time forth the whigs generally, and a part of the democrats, determined upon driving the Mormons out of the State; and everything connected with the Mormons became political and was considered almost entirely with reference to party. To this circumstance, in part, is to be attributed the extreme difficulty ever afterwards of doing anything effectually in relation to the Mormon or anti-Mormon parties, by the executive government.

It appears that the Mormons had been directed by their leaders to vote the whig ticket in the Quincy as well as the Hancock district. In the Quincy district Judge Douglas was the democratic candidate, O. H. Browning was the candidate of the whigs. The leading Mormons at Nauvoo having never determined in favor of the democrats until a day or two before the election, there was not sufficient time, or it was neglected, to send orders from Nauvoo into the Quincy district to effect a change there. The Mormons in that district voted for Browning. Douglas and his friends, being afraid that I

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might be in his way for the United States Senate in 1846, seized hold of this circumstance to affect my party standing and thereby gave countenance to the clamor of the whigs, secretly whispering it about that I had not only influenced the Mormons to vote for Hoge, but for Browning also. This decided many of the democrats in favor of the expulsion of the Mormons.

No further demand for the arrest of Joe Smith having been made by Missouri, he became emboldened by success. The Mormons became more arrogant and overbearing. In the winter of 1843-44, the common council passed some further ordinances to protect their leaders from arrest on demand from Missouri. They enacted that no writ issued from any other place than Nauvoo for the arrest of any person in it should be executed in the city without an approval endorsed thereon by the mayor; that if any public officer, by virtue of any foreign writ, should attempt to make an arrest in the city without such approval of his process he should be subject to imprisonment for life, and that the governor of the State should not have the power of pardoning the offender without the consent of the mayor. When these ordinances were published they created general astonishment. Many people began to



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believe in good earnest that the Mormons were about to set up a separate government for themselves in defiance of the laws of the State. Owners of property stolen in other counties made pursuit into Nauvoo and were fined by the Mormon courts for daring to seek their property in the holy city. To one such I granted a pardon. Several of the Mormons had been convicted of larceny and they never failed in any instance to procure petitions signed by 1,500 or 2,000 of their friends for their pardon. But that which made it more certain than everything else that the Mormons contemplated a separate government was that about this time they petitioned Congress to establish a territorial government for them in Nauvoo; as if Congress had any power to establish such a government, or any other, within the bounds of a State.

To crown the whole folly of the Mormons, in the spring of 1844 Joe Smith announced himself as a candidate for president of the United States. His followers were confident that he would be elected. Two or three thousand missionaries were immediately sent out to preach their religion and to electioneer in favor of their prophet for the presidency. This folly at once covered that people with ridicule in the minds of all sensible men, and

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brought them into conflict with the zealots and bigots of all political parties; as the arrogance and extravagance of their religious pretensions had already aroused the opposition of all other denominations in religion.

It seems from the best information which could be got from the best men who had seceded from the Mormon church that Joe Smith about this time conceived the idea of making himself a temporal prince as well as a spiritual leader of his people. He instituted a new and select order of the priesthood, the members of which were to be priests and kings temporally and spiritually. These were to be his nobility, who were to be the upholders of his throne. He caused himself to be crowned and anointed king and priest, far above the rest; and he prescribed the form of an oath of allegiance to himself which he administered to his principal followers.<sup>27</sup>

<sup>27</sup>The development here alluded to has never as yet been publicly admitted by the Church authorities. Apparently the foundation for it was a revelation produced by Smith on April 7, 1841 during the period of John C. Bennett's ascendancy at Nauvoo, prescribing the establishment of a "Halcyon Order." Bennett soon afterward fell from grace and departed from Nauvoo, but when James J. Strang became the self-proclaimed successor to Smith's prophetic station Bennett hastened to attach himself to the rising star, bringing with him to Voree, Strang's Holy City, a copy of the Revelation of 1841. Strang thereupon conveniently obtained a

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To uphold his pretensions to royalty he deduced his descent by an unbroken chain from Joseph the son of Jacob, and that of his wife from some other renowned personage of Old Testament history. The Mormons openly denounced the government of the United

Revelation prescribing the Order of the Illuminati with himself as King, Bennett as Imperial Primate, and a due array of Chevaliers, Earls, Marshals, etc. Initiates swore to uphold Strang as "actual sovereign Lord and King on Earth," and to obey his decrees and the laws made by his "Grand Council of Nobles of God's Kingdom" as the Supreme Law "above and superseding all laws, obligations, and mandates of any other person, authority, or power whatsoever."

The Secret Order could not long be kept secret, however, and when disgruntled followers began to broadcast inklings of the truth about the seditious organization they were denounced by Strang as knaves and liars. Eighty years later the present Editor obtained possession of Strang's own copy of the secret covenant. Upon reading it aloud to the Prophet's son, Rev. Clement Strang, the latter promptly exclaimed: "Why that is treason to the United States."

Strang's paper kingdom at Voree never became a functioning reality, although in 1850 he established and for six years ruled the Kingdom of God on Earth at the Beaver Islands. For Joseph Smith's incipient kingdom whose organization was begun at Nauvoo in 1844 see Bishop George Miller's narrative in *Historical Society of Southern California, Publications* for 1917, pp. 131-32; Mrs. Brodie, *No Man Knows My History*, 356-57; and M. M. Quaife, *The Kingdom of St. James*, Chap. IV.

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States as utterly corrupt, and as being about to pass away and to be replaced by the government of God, to be administered by his servant Joseph. It is now at this day certain also that about this time the prophet re-instituted an order in the church, called the "Danite band."<sup>28</sup> These were to be a body of police and guards about the person of their sovereign, who were sworn to obey his orders as the orders of God himself. About this time also he gave a new touch to a female

<sup>28</sup>The "Danites," organized in Missouri in 1838, were the Gestapo of early Mormonism. For their early history see Brodie, *No Man Knows My History*, 213-16; William A. Linn, *The Story of the Mormons* (New York, 1902), pp. 189-91. Governor Ford here directly charges that the organization was revived in Illinois. Brodie states that "there is no reliable evidence that the Danite organization was continued in Illinois except among Joseph's personal body-guard." *Op. Cit.*, 315. Lack of "reliable evidence," however, is not the same thing as disproof. Governor Ford's statements concerning spiritual wifery which immediately follow were made at a time when Mormon authorities everywhere were strenuously denying the existence of this social abomination. Not until 1850 did Prophet James J. Strang publicly admit the adherence of his faction to the doctrine of polygamy, and Brigham Young's confession on behalf of the Utah Church was made still later. Probably no non-Mormon alive was better informed concerning the activities of the Sect than Governor Ford; his statements concerning it, based upon contemporary information and contact, are entitled to respectful consideration.

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order already existing in the church, called Spiritual Wives. A doctrine was now revealed that no woman could get to heaven except as the wife of a Mormon elder. The elders were allowed to have as many of these wives as they could maintain; and it was a doctrine of the church, that any female could be "sealed up to eternal life," by uniting herself as wife or concubine to the elder of her choice. This doctrine was maintained by an appeal to the Old Testament scriptures; and by the example of Abraham and Jacob, of David and Solomon, the favorites of God in a former age of the world.

Soon after these institutions were established, Joe Smith began to play the tyrant over several of his followers. The first act of this sort which excited attention, was an attempt to take the wife of William Law, one of his most talented and principal disciples, and make her a spiritual wife. By means of his common council, without the authority of law, he established a recorder's office in Nauvoo in which alone the titles of property could be recorded. In the same manner and with the same want of legal authority he established an office for issuing marriage licenses to the Mormons, so as to give him absolute control of the marrying propensities of his people. He proclaimed that none in

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the city should purchase real estate to sell again, but himself. He also permitted no one but himself to have a license in the city for the sale of spirituous liquor; and in many other ways he undertook to regulate and control the business of the Mormons.

This despotism administered by a corrupt and unprincipled man soon became intolerable. William Law, one of the most eloquent preachers of the Mormons, who appeared to me to be a deluded but conscientious and candid man, Wilson Law, his brother, major-general of the legion, and four or five other Mormon leaders resolved upon a rebellion against the authority of the prophet. They designed to enlighten their brethren and fellow-citizens upon the new institutions, the new turn given to Mormonism, and the practices under the new system by procuring a printing press and establishing a newspaper in the city, to be the organ of their complaints and views. But they never issued but one number; before the second could appear the press was demolished by an order of the common council, and the conspirators were ejected from the Mormon church.

The Mormons themselves published the proceedings of the council in the trial and destruction of the heretical press; from which it does not appear that any one was tried or

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that the editor or any of the owners of the property had notice of the trial or were permitted to defend in any particular. The proceeding was an *ex parte* proceeding, partly civil and partly ecclesiastical, against the press itself. No jury was called or sworn nor were the witnesses required to give their evidence upon oath. The councillors stood up one after another, and some of them several times, and related what they pretended to know. In this mode it was abundantly proved that the owners of the proscribed press were sinners, whoremasters, thieves, swindlers, counterfeiters, and robbers; the evidence of which is reported in the trial at full length. It was altogether the most curious and irregular trial that ever was recorded in any civilized country; and one finds difficulty in determining whether the proceedings of the council were more the result of insanity or depravity. The trial resulted in the conviction of the press as a public nuisance. The mayor was ordered to see it abated as such, and if necessary to call the legion to his assistance. The mayor issued his warrant to the city marshal who, aided by a portion of the legion, proceeded to the obnoxious printing office and destroyed the press and scattered the types and other materials.

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After this it became too hot for the seceding and rejected Mormons to remain in the holy city. They retired to Carthage, the county seat of Hancock county; and took out warrants for the mayor and members of the common council and others engaged in the outrage for a riot. Some of these were arrested, but were immediately taken before the municipal court of the city on *habeas corpus* and discharged from custody. The residue of this history of the Mormons, up to the time of the death of the Smiths, will be taken, with such corrections as time has shown to be necessary, from my report to the legislature made on the 23rd of December, 1844.

On the seventeenth day of June following, a committee of a meeting of the citizens of Carthage presented themselves to me with a request that the militia might be ordered out to assist in executing process in the city of Nauvoo. I determined to visit in person that section of country and examine for myself the truth and nature of their complaints. No order for the militia was made; and I arrived at Carthage on the morning of the twenty-first day of the same month.

Upon my arrival I found an armed force assembled and hourly increasing under the summons and direction of the constables of



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the county, to serve as a *posse comitatus* to assist in the execution of process. The general of the brigade had also called for the militia *en masse* of the counties of McDonough and Schuyler for a similar purpose. Another assemblage to a considerable number had been made at Warsaw, under military command of Col. Levi Williams.

The first thing which I did on my arrival was to place all the militia then assembled, and which were expected to assemble, under military command of their proper officers.

I next despatched a messenger to Nauvoo, informing the mayor and common council of the nature of the complaint made against them; and requested that persons might be sent to me to lay their side of the question before me. A committee was accordingly sent, who made such acknowledgments that I had no difficulty in concluding what were the facts.

It appeared clearly both from the complaints of the citizens and the acknowledgments of the Mormon committee that the whole proceedings of the mayor, the common council, and the municipal court were irregular and illegal, and not to be endured in a free country; though perhaps some apology might be made for the court, as it had been repeatedly assured by some of the best law-

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yers in the State who had been candidates for office before that people that it had full and competent power to issue writs of *habeas corpus* in all cases whatever. The common council violated the law in assuming the exercise of judicial power; in proceeding *ex parte* without notice to the owners of the property; in proceeding against the property *in rem*; in not calling a jury; in not swearing all the witnesses; in not giving the owners of the property accused of being a nuisance, in consequence of being libelous, an opportunity of giving the truth in evidence; and in fact by not proceeding by civil suit or indictment, as in other cases of libel. The mayor violated the law in ordering this erroneous and absurd judgment of the common council to be executed. And the municipal court erred in discharging them from arrest.

As this proceeding touched the liberty of the press, which is justly dear to any republican people, it was well calculated to raise a great flame of excitement. And it may well be questioned whether years of misrepresentation by the most profligate newspaper could have engendered such a feeling as was produced by the destruction of this one press. It is apparent that the Mormon leaders but little understood, and regarded less, the true principles of civil liberty. A free press well

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conducted is a great blessing to a free people; a profligate one is likely soon to deprive itself of all credit and influence by the multitude of falsehoods put forth by it. But let this be as it may, there is more lost to rational liberty by a censorship of the press, by suppressing information proper to be known to the people, than can be lost to an individual now and then by a temporary injury to his character and influence by the utmost licentiousness.

There were other causes to heighten the excitement. These people had undertaken to innovate upon the established systems of religion. Their legal right to do so no one will question. But all history bears testimony that innovations upon religion have always been attended by a hostility in the public mind which sometimes have produced the most desolating wars; always more or less of persecution. Even the innocent Quakers, the unoffending Shakers, and the quiet and orderly Methodists in their origin, and until the world got used to them, had enough of persecution to encounter. But if either of these sects had congregated together in one city where the world could never get to know them; could never ascertain by personal acquaintance the truth or falsity of many reports which are always circulated

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to the prejudice of such innovators; and moreover, if they had armed themselves and organized into a military legion as the citizens of Nauvoo, and had been guilty of high-handed proceedings carried on against the heretical press the public animosity and their persecutions must have greatly increased in rancor and severity.

In addition to these causes of excitement there were a great many reports in circulation and generally believed by the people. These reports I have already alluded to, and they had much influence in swelling the public excitement.

It was asserted that Joe Smith, the founder and head of the Mormon church, had caused himself to be crowned and anointed king of the Mormons; that he had embodied a band of his followers called Danites, who were sworn to obey him as God, and to do his commands, murder and treason not excepted; that he had instituted an order in the church whereby those who composed it were pretended to be sealed up to eternal life against all crimes save the shedding of innocent blood or consenting thereto. That this order was instructed that no blood was innocent blood, except that of the members of the church; and that these two orders were made the ministers of his vengeance and the

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instruments of an intolerable tyranny which he had established over his people, and which he was about to extend over the neighboring country. The people affected to believe that with this power in the hands of an unscrupulous leader there was no safety for the lives or property of any one who should oppose him. They affected likewise to believe that Smith inculcated the legality of perjury or any other crime in defence, or to advance, the interests of true believers; and that he himself had set them the example by swearing to a false accusation against a certain person for the crime of murder. It was likewise asserted to be a fundamental article of the Mormon faith that God had given the world and all it contained to them as his saints; that they secretly believed in their right to all the goodly lands, farms, and property in the country; that at present they were kept out of their rightful inheritance by force; that consequently there was no moral offence in anticipating God's good time to put them in possession by stealing, if opportunity offered; that in fact the whole church was a community of murderers, thieves, robbers, and outlaws; that Joseph Smith had established a bogus factory<sup>29</sup> in

<sup>29</sup>The word "bogus" was commonly used in America a century ago as synonymous with counterfeit money.

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Nauvoo for the manufacture of counterfeit money; and that he maintained about his person a tribe of swindlers, blacklegs, and counterfeiters to make it and put it into circulation.

It was also believed that he had announced a revelation from heaven sanctioning polygamy, by a kind of spiritual wife system whereby a man was allowed one wife in pursuance of the laws of the country and an indefinite number of others to be enjoyed in some mystical and spiritual mode; and that he himself and many of his followers had practiced upon the precepts of this revelation by seducing a large number of women.<sup>30</sup>

Whether the Mormons were making bogus at Nauvoo seems uncertain; color for the gentile accusation was afforded by the fact that a few years earlier Oliver Cowdery, one of the three original witnesses to the Book of Mormon, who had assisted Smith in its "translation" was tried by the Mormon High Council on nine charges, convicted of six, expelled from the Church, and forced to flee in the night to escape official vengeance. One of the six charges was that he had disgraced the Church by being connected with the "bogus" business. See Wm. A. Linn, *Story of the Mormons*, 188-89.

<sup>30</sup>Here Governor Ford errs through understatement. Although strenuously denied at the time (and even yet by the Reorganized Church of Latter Day Saints) Smith and his chosen intimates were indulging in polygamy on a wholesale scale. Although the precise number

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It was also asserted that he was in alliance with the Indians of the western territories, and had obtained over them such a control that in case of a war he could command their assistance to murder his enemies.

Upon the whole, if one-half of these reports had been true the Mormon community must have been the most intolerable collection of rogues ever assembled; or, if one-half of them were false, they were the most maligned and abused.

Fortunately for the purposes of those who were active in creating excitement there were many known truths which gave countenance to some of these accusations. It was sufficiently proved in a proceeding at Carthage whilst I was there that Joe Smith had sent a band of his followers to Missouri to kidnap two men who were witnesses against

of Smith's wives is unknown, his latest biographer lists the names of forty-nine, while Brigham Young on one occasion stated that he had sealed "dozens" of women to Smith. They ranged in age from girls in their teens to elderly women in their late fifties. Many of them were married women with living husbands; several were sisters; two were mother and daughter, the marriage of the latter being kept a secret from the former. Nor were the relations thus enjoyed "mystical and spiritual." On the contrary they were commonplace and carnal, and measured by any normal standard of decency, scandalous and infamous.

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a member of his church then in jail and about to be tried on a charge of larceny. It was also a notorious fact that he had assaulted and severely beaten an officer of the county for an alleged non-performance of his duty, at a time when that officer was just recovering from severe illness. It is a fact also that he stood indicted for the crime of perjury, as was alleged, in swearing to an accusation for murder in order to drive a man out of Nauvoo who had been engaged in buying and selling lots and land, and thus interfering with the monopoly of the prophet as a speculator. It is a fact also that his municipal court, of which he was chief justice, by writ of habeas corpus had frequently discharged individuals accused of high crimes and offences against the laws of the State; and on one occasion had discharged a person accused of swindling the government of the United States, and who had been arrested by process of the federal courts; thereby giving countenance to the report that he obstructed the administration of justice, and had set up a government at Nauvoo independent of the laws and government of the State. This idea was further corroborated in the minds of the people by the fact that the people of Nauvoo had petitioned Congress for a territorial government to be estab-



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lished there, and to be independent of the State government. It was a fact also that some larcenies and robberies had been committed and that Mormons had been convicted of the crimes, and that other larcenies had been committed by persons unknown, but suspected to be Mormons. Justice, however, requires me here to say that upon such investigation as I then could make the charge of promiscuous stealing appeared to be exaggerated.

Another cause of excitement was a report industriously circulated and generally believed that Hyrum Smith, another leader of the Mormon church, had offered a reward for the destruction of the press of the *Warsaw Signal*, a newspaper published in the county, and the organ of the opposition to the Mormons. It was also asserted that the Mormons scattered through the settlements of the county had threatened all persons who turned out to assist the constables with the destruction of their property and the murder of their families, in the absence of their fathers, brothers, and husbands. A Mormon woman in McDonough county was imprisoned for threatening to poison the wells of the people who turned out in the posse; and a Mormon in Warsaw publicly avowed that he was bound by his religion to obey all

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orders of the prophet, even to commit murder if so commanded.

But the great cause of popular fury was that the Mormons at several preceding elections had cast their vote as a unit; thereby making the fact apparent that no one could aspire to the honors or offices of the country within the sphere of their influence without their approbation and votes. It appears to be one of the principles by which they insist upon being governed as a community to act as a unit in all matters of government and religion. They express themselves to be fearful that if division should be encouraged in politics it would soon extend to their religion and rend their church with schism and into sects.

This seems to me to be an unfortunate view of the subject, and more unfortunate in practice, as I am well satisfied that it must be the fruitful source of excitement, violence, and mobocracy whilst it is persisted in. It is indeed unfortunate for their peace that they do not divide in elections according to their individual preferences or political principles, like other people.

This one principle and practice of theirs arrayed against them in deadly hostility all aspirants for office who were not sure of their support, all who had been unsuccessful in

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elections, and all who were too proud to court their influence, with all their friends and connections.

These also were the active men in blowing up the fury of the people in hopes that a popular movement might be set on foot which would result in the expulsion or extermination of the Mormon voters. For this purpose public meetings had been called; inflammatory speeches had been made; exaggerated reports had been extensively circulated; committees had been appointed who rode night and day to spread the reports and solicit the aid of neighboring counties. And at a public meeting at Warsaw resolutions were passed to expel or exterminate the Mormon population. This was not, however, a movement which was unanimously concurred in. The county contained a goodly number of inhabitants in favor of peace, or who at least desired to be neutral in such a contest. These were stigmatized by the name of Jack Mormons and there were not a few of the more furious excitors of the people who openly expressed their intention to involve them in the common expulsion or extermination.

A system of excitement and agitation was artfully planned and executed with tact. It consisted in spreading reports and rumors

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of the most fearful character. As examples: On the morning before my arrival at Carthage I was awakened at an early hour by the frightful report, which was asserted with confidence and apparent consternation, that the Mormons had already commenced the work of burning, destruction, and murder; and that every man capable of bearing arms was instantly wanted at Carthage for the protection of the country. We lost no time in starting; but when we arrived at Carthage we could hear no more concerning this story. Again: during the few days that the militia were encamped at Carthage frequent applications were made to me to send a force here and a force there and a force all about the country to prevent murders, robberies, and larcenies which, it was said, were threatened by the Mormons. No such forces were sent; nor were any such offences committed at that time except the stealing of some provisions, and there was never the least proof that this was done by a Mormon. Again: on my late visit to Hancock county I was informed by some of their violent enemies that the larcenies of the Mormons had become unusually numerous and insufferable. They indeed admitted that but little had been done in this way in their immediate vicinity. But they insisted that sixteen

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horses had been stolen by the Mormons in one night near Lima, in the county of Adams. At the close of the expedition I called at this same town of Lima and upon inquiry was told that no horses had been stolen in that neighborhood, but that sixteen horses had been stolen in one night in Hancock county. This last informant being told of the Hancock story, again changed the venue to another distant settlement in the northern edge of Adams.

As my object in visiting Hancock was expressly to assist in the execution of the laws, and not to violate them or to witness or permit their violation, as I was convinced that the Mormon leaders had committed a crime in the destruction of the press and had resisted the execution of process, I determined to exert the whole force of the State, if necessary, to bring them to justice. But seeing the great excitement in the public mind and the manifest tendency of this excitement to run into mobocracy, I was of opinion that before I acted I ought to obtain a pledge from the officers and men to support me in strictly legal measures, and to protect the prisoners in case they surrendered. For I was determined, if possible, that the forms of law should not be made the catspaw of a mob to seduce these people to a quiet sur-

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render, as the convenient victims of popular fury. I therefore called together the whole force then assembled at Carthage and made an address, explaining to them what I could, and what I could not, legally do; and also adducing to them various reasons why they as well as the Mormons should submit to the laws; and why, if they had resolved upon revolutionary proceedings, their purpose should be abandoned. The assembled troops seemed much pleased with the address; and upon its conclusion the officers and men unanimously voted, with acclamation, to sustain me in a strictly legal course, and that the prisoners should be protected from violence. Upon the arrival of additional forces from Warsaw, McDonough, and Schuyler similar addresses were made, with the same result.

It seemed to me that these votes fully authorized me to promise the accused Mormons the protection of the law in case they surrendered. They were accordingly duly informed that if they surrendered they would be protected, and if they did not the whole force of the State would be called out, if necessary, to compel their submission. A force of ten men was despatched with the constable to make the arrests and to guard the prisoners to headquarters.

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In the meantime Joe Smith, as Lieut.-General of the Nauvoo Legion, had declared martial law in the city; the Legion was assembled and ordered under arms; the members of it residing in the country were ordered into town. The Mormon settlements obeyed the summons of their leader and marched to his assistance. Nauvoo was one great military camp, strictly guarded and watched; and no ingress or egress was allowed except upon the strictest examination. In one instance which came to my knowledge a citizen of McDonough, who happened to be in the city was denied the privilege of returning until he made oath that he did not belong to the party at Carthage, that he would return home without calling at Carthage, and that he would give no information of the movements of the Mormons.

However, upon the arrival of the constable and guard the mayor and common council at once signified their willingness to surrender and stated their readiness to proceed to Carthage next morning at eight o'clock. Martial law had previously been abolished. The hour of eight o'clock came and the accused failed to make their appearance. The constable and his escort returned. The constable made no effort to arrest any of them, nor would he or the guard delay

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their departure one minute beyond the time, to see whether an arrest could be made. Upon their return they reported that they had been informed that the accused had fled and could not be found.

I immediately proposed to a council of officers to march into Nauvoo with the small force then under my command, but the officers were of opinion that it was too small and many of them insisted upon a further call of the militia. Upon reflection, I was of opinion that the officers were right in the estimate of our force, and the project for immediate action was abandoned. I was soon informed, however, of the conduct of the constable and guard, and then I was perfectly satisfied that a most base fraud had been attempted; that, in fact, it was feared that the Mormons would submit and thereby entitle themselves to the protection of the law. It was very apparent that many of the bustling, active spirits were afraid that there would be no occasion for calling out an overwhelming militia force for marching it into Nauvoo, for probable mutiny when there, and for the extermination of the Mormon race. It appeared that the constable and the escort were fully in the secret, and acted well their part to promote the conspiracy.



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Seeing this to be the state of the case, I delayed any further call of the militia to give the accused another opportunity to surrender; for indeed I was most anxious to avoid a general call for the militia at that critical season of the year. The whole spring season preceding had been unusually wet. No ploughing of corn had been done, and but very little planting. The season had just changed to be suitable for ploughing. The crops which had been planted were universally suffering; and the loss of two weeks, or even of one, at that time was likely to produce a general famine all over the country. The wheat harvest was also approaching; and if we got into a war there was no foreseeing when it would end, or when the militia could safely be discharged. In addition to these considerations, all the grist mills in all that section of the country had been swept away or disabled by the high waters, leaving the inhabitants almost without meal or flour and making it impossible then to procure provisions, by impressment or otherwise, for the sustenance of any considerable force.

This was the time of the high waters; of astonishing floods in all the rivers and creeks in the western country. The Mississippi river at St. Louis was several feet higher than it was ever known before; it was up

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into the second stories of the warehouses on Water street; the steamboats ran up to these warehouses, and could scarcely receive their passengers from the second stories; the whole American Bottom<sup>31</sup> was overflowed from eight to twenty feet deep, and steamboats freely crossed the Bottom along the road from St. Louis to the opposite bluffs in Illinois; houses and fences and stock of all kinds were swept away, the fields near the river, after the water subsided, being covered with sand from a foot to three feet deep; which was generally thrown into ridges and washed into gullies, so as to spoil the land for cultivation. Families had great difficulty in making their escape. Through the active exertions of Mr. Pratt, the mayor of St. Louis, steamboats were sent in every direction to their relief. The boats found many of the families on the tops of their houses just ready to be floated away. The inhabitants of the Bottom lost nearly all their personal property. A large number of them were taken to St. Louis in a state of entire

<sup>31</sup>The American Bottom was the narrow flood plain on the eastern side of the Mississippi running southward 100 miles or more from Alton. Fabulously fertile by reason of frequent overflow and consequent deposits of Mississippi flood soil, it was the seat of the early settlements of the French Illinois.

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destitution, and their necessities were supplied by the contributions of the charitable of that city. A larger number were forced out on to the Illinois bluffs, where they encamped and were supplied with provisions by the neighboring inhabitants. This freshet nearly ruined the ancient village of Kaskaskia.<sup>32</sup> The inhabitants were driven away and scattered, many of them never to return. For many years before this flood there had been a flourishing institution at Kaskaskia, under the direction of an order of nuns of the Catholic Church. They had erected an extensive building, which was surrounded and filled by the waters to the second story. But they were all safely taken away, pupils and

<sup>32</sup>Kaskaskia, established in 1703 on the Kaskaskia River, seven miles above its junction with the Mississippi, was long the metropolis of the French Illinois. By 1770 its population included 500 whites and as many Negroes. Following the conquest of the Illinois by George Rogers Clark in 1778 (for his own narrative of the conquest see the Lakeside Classics volume for 1920) the fortunes of the town declined, to rise again in the territorial period until in 1818 it was again the metropolis of Illinois. Following the removal of the capital to Vandalia in 1820, as described by Governor Ford in Volume I, pp. 31-32, the prosperity of Kaskaskia again declined, accentuated by the flood of 1844. In 1881 the Mississippi broke through the narrow tongue of land on which the town stood, and by 1910 the site had been entirely eaten away.

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all, by a steamboat which was sent to their relief and which ran directly up to the building and received its inmates from the second story. This school was now transferred to St. Louis, where it yet remains. All the rivers and streams in Illinois were as high, and did as much damage in proportion to their length and the extent of their bottoms, as the Mississippi.

This great flood destroyed the last hope of getting provisions at home; and I was totally without funds belonging to the State with which to purchase at more distant markets, and there was a certainty that such purchases could not have been made on credit abroad. For these reasons I was desirous of avoiding a war if it could be avoided.

In the meantime I made a requisition upon the officers of the Nauvoo legion for the State arms in their possession. It appears that there was no evidence in the quartermaster-general's office of the number and description of arms with which the legion had been furnished. Dr. Bennett, after he had been appointed quartermaster-general, had joined the Mormons and had disposed of the public arms as he pleased without keeping or giving any account of them. On this subject I applied to Gen. Wilson Law for information. He had lately been the major-

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general of the legion. He had seceded from the Mormon party; was one of the owners of the proscribed press; had left the city, as he said, in fear of his life; and was one of the party asking for justice against its constituted authorities. He was interested to exaggerate the number of arms rather than to place it at too low an estimate. From his information I learned that the legion had received three pieces of cannon and about two hundred and fifty stand of small arms and their accoutrements. Of these, the three pieces of cannon and two hundred and twenty stand of small arms were surrendered. These arms were demanded because the legion was illegally used in the destruction of the press and in enforcing martial law in the city, in open resistance to legal process and the *posse comitatus*.

I demanded the surrender also on account of the great prejudice and excitement which the possession of these arms by the Mormons had always kindled in the minds of the people. A large portion of the people, by pure misrepresentation, had been made to believe that the legion had received of the State as many as thirty pieces of artillery and five or six thousand stand of small arms, which in all probability would soon be wielded for the conquest of the country; and for their sub-

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jection to Mormon domination. I was of opinion that the removal of these arms would tend much to allay this excitement and prejudice; and in point of fact, although wearing a severe aspect, would be an act of real kindness to the Mormons themselves.

On the 23d or 24th day of June Joe Smith, the mayor of Nauvoo, together with his brother Hyrum and all the members of the council and all others demanded, came into Carthage and surrendered themselves prisoners to the constable, on the charge of riot. They all voluntarily entered into a recognizance before the justice of the peace for their appearance at court to answer the charge. And all of them were discharged from custody except Joe and Hyrum Smith, against whom the magistrate had issued a new writ on a complaint of treason. They were immediately arrested by the constable on this charge and retained in his custody to answer it.

The overt act of treason charged against them consisted in the alleged levying of war against the State by declaring martial law in Nauvoo, and in ordering out the legion to resist the *posse comitatus*. Their actual guiltiness of the charge would depend upon circumstances. If their opponents had been seeking to put the law in force in good faith, and nothing more, then an array of a mili-

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tary force in open resistance to the *posse comitatus* and the militia of the State most probably would have amounted to treason. But if those opponents merely intended to use the process of the law, the militia of the State, and the *posse comitatus* as cats-paws to compass the possession of their persons for the purpose of murdering them afterwards, as the sequel demonstrated the fact to be, it might well be doubted whether they were guilty of treason.

Soon after the surrender of the Smiths, at their request I despatched Captain Singleton with his company from Brown county to Nauvoo to guard the town; and I authorized him to take command of the legion. He reported to me afterwards that he called out the legion for inspection; and that upon two hours' notice two thousand of them assembled, all of them armed; and this after the public arms had been taken away from them. So it appears that they had a sufficiency of private arms for any reasonable purpose.

After the Smiths had been arrested on the new charge of treason the justice of the peace postponed the examination because neither of the parties was prepared with his witnesses for trial. In the meantime he committed them to the jail of the county for greater security.

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In all this matter the justice of the peace and constable, though humble in office, were acting in a high and independent capacity, far beyond any legal power in me to control. I considered that the executive power could only be called in to assist, and not to dictate or control their action; that in the humble sphere of their duties they were as independent, and clothed with as high authority by the law, as the executive department; and that my province was simply to aid them with the force of the State. It is true that so far as I could prevail on them by advice I endeavored to do so. The prisoners were not in military custody, or prisoners of war; and I could no more legally control these officers than I could the superior courts of justice.

Some persons have supposed that I ought to have had them sent to some distant and friendly part of the State for confinement and trial; and that I ought to have searched them for concealed arms; but these surmises and suppositions are readily disposed of by the fact that they were not my prisoners; but were the prisoners of the constable and jailer, under the direction of the justice of the peace. And also by the fact that by law they could be tried in no other county than Hancock.



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The jail in which they were confined is a considerable stone building; containing a residence for the jailer, cells for the close and secure confinement of prisoners, and one larger room not so strong, but more airy and comfortable than the cells. They were put into the cells by the jailer; but upon their remonstrance and request, and by my advice, they were transferred to the larger room; and there they remained until the final catastrophe.<sup>33</sup> Neither they nor I seriously apprehended an attack on the jail through the guard stationed to protect it. Nor did I apprehend the least danger on their part of an attempt to escape. For I was very sure

<sup>33</sup>The jail is still preserved, being now owned and maintained as an historic shrine by the Utah Church. The cells are at the rear of the ground floor, while the "larger room" to which the Smiths were transferred occupies the front portion of the second story, save for the narrow space at one side required for the stairway. The original door, marred by the splintered holes made by the bullets of the mob still separates the room from the second-floor landing at the head of the stairway. Immediately across the street from the house and well where the Prophet was slaughtered is a large vacant plot, perhaps the same on which the soldiers were encamped at the time of the mobbing. When the present Editor visited the scene a few years ago some schoolboys were noisily playing a game of baseball on the lot, ignoring and probably ignorant of the stirring scenes enacted there a century earlier.

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that any such an attempt would have been the signal of their immediate death. Indeed, if they had escaped it would have been fortunate for the purposes of those who were anxious for the expulsion of the Mormon population. For the great body of that people would most assuredly have followed their prophet and principal leaders, as they did in their flight from Missouri.\*

The force assembled at Carthage amounted to about twelve or thirteen hundred men, and it was calculated that four or five hundred more were assembled at Warsaw. Near-

\*I learned afterwards that the leaders of the anti-Mormons did much to stimulate their followers to the murder of the Smiths in jail, by alleging that the governor intended to favor their escape. If this had been true, and could have been well carried out, it would have been the best way of getting rid of the Mormons. These leaders of the Mormons would never have dared to return, and they would have been followed in their flight by all their church. I had such a plan in my mind, but I had never breathed it to a living soul, and was thus thwarted in ridding the State of the Mormons two years before they actually left by the insane frenzy of the anti-Mormons. Joe Smith, when he escaped from Missouri, had no difficulty in again collecting his sect about him at Nauvoo; and so the twelve apostles, after they had been at the head of affairs long enough to establish their authority and influence as leaders, had no difficulty in getting nearly the whole body of Mormons to follow them into the wilderness two years after the death of their pretended prophet.

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ly all that portion resident in Hancock were anxious to be marched into Nauvoo. This measure was supposed to be necessary to search for counterfeit money and the apparatus to make it, and also to strike a salutary terror into the Mormon people by an exhibition of the force of the State, and thereby prevent future outrages, murders, robberies, burnings, and the like, apprehended as the effect of Mormon vengeance on those who had taken a part against them. On my part, at one time this arrangement was agreed to. The morning of the 27th day of June was appointed for the march; and Golden's Point near the Mississippi river and about equidistant from Nauvoo and Warsaw, was selected as the place of rendezvous. I had determined to prevail on the justice to bring out his prisoners and take them along. A council of officers, however, determined that this would be highly inexpedient and dangerous, and offered such substantial reasons for their opinions as induced me to change my resolution.

Two or three days' preparations had been made for this expedition. I observed that some of the people became more and more excited and inflammatory the further the preparations were advanced. Occasional threats came to my ears of destroying the

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city and murdering or expelling the inhabitants.

I had no objection to ease the terrors of the people by such a display of force, and was most anxious also to search for the alleged apparatus for making counterfeit money; and, in fact, to inquire into all the charges against that people, if I could have been assured of my command against mutiny and insubordination. But I gradually learned to my entire satisfaction that there was a plan to get the troops into Nauvoo and there to begin the war, probably by some of our own party or some of the seceding Mormons taking advantage of the night to fire on our own force, and then laying it on the Mormons. I was satisfied that there were those amongst us fully capable of such an act, hoping that in the alarm, bustle, and confusion of a militia camp the truth could not be discovered, and that it might lead to the desired collision.

I had many objections to be made the dupe of any such or similar artifice. I was openly and boldly opposed to any attack on the city unless it should become necessary to arrest prisoners legally charged and demanded. Indeed, if any one will reflect upon the number of women, inoffensive and young persons, and innocent children which must be contained in such a city of twelve or fifteen

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thousand inhabitants it would seem to me his heart would relent and rebel against such violent resolutions. Nothing but the most blinded and obdurate fury could incite a person, even if he had the power, to the willingness of driving such persons bare and houseless on to the prairies to starve, suffer, and even steal, as they must have done, for subsistence. No one who has children of his own would think of it for a moment.

Besides this, if we had been ever so much disposed to commit such an act of wickedness, we evidently had not the power to do it. I was well assured that the Mormons at a short notice could muster as many as two or three thousand well-armed men. We had not more than seventeen hundred, with three pieces of cannon and about twelve hundred stand of small arms. We had provisions for two days only, and would be compelled to disband at the end of that time. To think of beginning a war under such circumstances was a plain absurdity. If the Mormons had succeeded in repulsing our attack, as most likely would have been the case, the country must necessarily be given up to their ravages until a new force could be assembled and provision made for its subsistence. Or if we should have succeeded in driving them from their city, they would have scattered; and

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being justly incensed at our barbarity, and suffering with privation and hunger, would have spread desolation all over the country without any possibility on our part, with the force we then had, of preventing it. Again: they would have had the advantage of being able to subsist their force in the field by plundering their enemies.

All these considerations were duly urged by me upon the attention of a council of officers convened on the morning of the 27th of June. I also urged upon the council that such wanton and unprovoked barbarity on their part would turn the sympathy of the people in the surrounding counties in favor of the Mormons, and therefore it would be impossible to raise a volunteer militia force to protect such a people against them. Many of the officers admitted that there might be danger of collision. But such was the blind fury prevailing at the time, though not showing itself by much visible excitement, that a small majority of the council adhered to the first resolution of marching into Nauvoo; most of the officers of the Schuyler and McDonough militia voting against it, and most of those of the county of Hancock voting in its favor.

A very responsible duty now devolved upon me to determine whether I would, as

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commander-in-chief, be governed by the advice of this majority. I had no hesitation in deciding that I would not; but on the contrary I ordered the troops to be disbanded, both at Carthage and Warsaw, with the exception of three companies, two of which were retained as a guard to the jail and the other was retained to accompany me to Nauvoo.

The officers insisted much in council upon the necessity of marching to that place to search for apparatus to make counterfeit money, and more particularly to terrify the Mormons from attempting any open or secret measures of vengeance against the citizens of the county who had taken a part against them or their leaders. To ease their terrors on this head I proposed to them that I would myself proceed to the city, accompanied by a small force, make the proposed search and deliver an address to the Mormons, and tell them plainly what degree of excitement and hatred prevailed against them in the minds of the whole people, and that if any open or secret violence should be committed on the persons or property of those who had taken part against them that no one would doubt but that it had been perpetrated by them, and that it would be the sure and certain means of the destruction of

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their city and the extermination of their people.

I ordered two companies under the command of Capt. R. F. Smith of the Carthage Grays to guard the jail. In selecting these companies and particularly the company of the Carthage Grays for this service I have been subjected to some censure. It has been said that this company had already been guilty of mutiny and had been ordered to be arrested whilst in the encampment at Carthage; and that they and their officers were the deadly enemies of the prisoners. Indeed, it would have been difficult to find friends of the prisoners under my command unless I had called in the Mormons as a guard; and this I was satisfied would have led to the immediate war, and the sure death of the prisoners.

It is true that this company had behaved badly towards the brigadier-general in command on the occasion when the prisoners were shown along the line of the McDonough militia. This company had been ordered as a guard. They were under the belief that the prisoners, who were arrested for a capital offence, were shown to the troops in a kind of triumph; and that they had been called on as a triumphal escort to grace the procession. They also entertained a very bad



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feeling towards the brigadier-general who commanded their service on the occasion. The truth is, however, that this company was never ordered to be arrested; that the Smiths were not shown to the McDonough troops as a mark of honor and triumph, but were shown to them at the urgent request of the troops themselves to gratify their curiosity in beholding persons who had made themselves so notorious in the country.

When the Carthage Grays ascertained what was the true motive in showing the prisoners to the troops they were perfectly satisfied. All due atonement was made on their part for their conduct to the brigadier-general and they cheerfully returned to their duty.

Although I knew that this company were the enemies of the Smiths, yet I had confidence in their loyalty and integrity; because their captain was universally spoken of as a most respectable citizen and honorable man. The company itself was an old independent company, well armed, uniformed, and drilled; and the members of it were the elite of the militia of the county. I relied upon this company especially because it was an independent company, for a long time instructed and practiced in military discipline and subordination. I also had their word and honor,

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officers and men, to do their duty according to law. Besides all this the officers and most of the men resided in Carthage; in the near vicinity of Nauvoo; and, as I thought, must know that they would make themselves and their property convenient and conspicuous marks of Mormon vengeance in case they were guilty of treachery.

I had at first intended to select a guard from the county of McDonough, but the militia of that county were very much dissatisfied to remain; their crops were suffering at home; they were in a perfect fever to be discharged; and I was destitute of provisions to supply them for more than a few days. They were far from home, where they could not supply themselves. Whilst the Carthage company could board at their own houses, and would be put to little inconvenience in comparison.

What gave me greater confidence in the selection of this company as a prudent measure was that the selection was first suggested and urged by the brigadier-general in command, who was well known to be utterly hostile to all mobocracy and violence towards the prisoners and who was openly charged by the violent party with being on the side of the Mormons. At any rate I knew that the jail would have to be guarded as long as

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the prisoners were confined; that an imprisonment for treason might last the whole summer and the greater part of the autumn before a trial could be had in the circuit court; that it would be utterly impossible in the circumstances of the country to keep a force there from a foreign county for so long a time; and that a time must surely come when the duty of guarding the jail would necessarily devolve on the citizens of the county.

It is true also that at this time I had not believed or suspected that any attack was to be made upon the prisoners in jail. It is true that I was aware that a great deal of hatred existed against them, and that there were those who would do them an injury if they could. I had heard of some threats being made, but none of an attack upon the prisoners whilst in jail. These threats seemed to be made by individuals not acting in concert. They were no more than the bluster which might have been expected, and furnished no indication of numbers combining for this or any other purpose.

I must here be permitted to say also that frequent appeals had been made to me to make a clean and thorough work of the matter by exterminating the Mormons or expelling them from the State. An opinion

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seemed generally to prevail that the sanction of executive authority would legalize the act; and all persons of any influence, authority, or note who conversed with me on the subject frequently and repeatedly stated their total unwillingness to act without my direction, or in any mode except according to law.

This was a circumstance well calculated to conceal from me the secret machinations on foot. I had constantly contended against violent measures and so had the brigadier-general in command; and I am convinced that unusual pains were taken to conceal from both of us the secret measures resolved upon. It has been said, however, that some person named Williams in a public speech at Carthage called for volunteers to murder the Smiths; and that I ought to have had him arrested. Whether such a speech was really made or not is yet unknown to me.

Having ordered the guard and left General Deming in command in Carthage and discharged the residue of the militia, I immediately departed for Nauvoo, eighteen miles distant, accompanied by Col. Buckmaster, Quartermaster-General, and Capt. Dunn's company of dragoons.

After we had proceeded four miles Colonel Buckmaster intimated to me a suspicion that

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an attack would be made upon the jail. He stated the matter as a mere suspicion, arising from having seen two persons converse together at Carthage with some air of mystery. I myself entertained no suspicion of such an attack; at any rate, none before the next day in the afternoon; because it was notorious that we had departed from Carthage with the declared intention of being absent at least two days. I could not believe that any person would attack the jail whilst we were in Nauvoo and thereby expose my life and the lives of my companions to the sudden vengeance of the Mormons upon hearing of the death of their leaders. Nevertheless, acting upon the principle of providing against mere possibilities, I sent back one of the company with a special order to Capt. Smith to guard the jail strictly and at the peril of his life until my return.

We proceeded on our journey four miles farther. By this time I had convinced myself that no attack would be made on the jail that day or night. I supposed that a regard for my safety and the safety of my companions would prevent an attack until those to be engaged in it could be assured of our departure from Nauvoo. I still think that this ought to have appeared to me to be a reasonable supposition.

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I therefore determined at this point to omit making the search for counterfeit money at Nauvoo and defer an examination of all the other abominations charged on that people in order to return to Carthage that same night, that I might be on the ground in person in time to prevent an attack upon the jail, if any had been meditated. To this end we called a halt; the baggage wagons were ordered to remain where they were until towards evening, and then return to Carthage.

Having made these arrangements we proceeded on our march and arrived at Nauvoo about four o'clock of the afternoon of the 27th day of June. As soon as notice could be given a crowd of the citizens assembled to hear an address which I proposed to deliver to them. The number present has been variously estimated from one to five thousand.

In this address I stated to them how, and in what, their functionaries had violated the laws. Also, the many scandalous reports in circulation against them, and that these reports, whether true or false, were generally believed by the people. I distinctly stated to them the amount of hatred and prejudice which prevailed everywhere against them, and the causes of it, at length.

I also told them plainly and emphatically that if any vengeance should be attempted

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openly or secretly against the persons or property of the citizens who had taken part against their leaders that the public hatred and excitement was such that thousands would assemble for the total destruction of their city and the extermination of their people; and that no power in the State would be able to prevent it. During this address some impatience and resentment were manifested by the Mormons at the recital of the various reports enumerated concerning them; which they strenuously and indignantly denied to be true. They claimed to be a law-abiding people and insisted that as they looked to the law alone for their protection, so were they careful themselves to observe its provisions. Upon the conclusion of this address I proposed to take a vote on the question whether they would strictly observe the laws, even in opposition to their prophet and leaders. The vote was unanimous in favor of this proposition.

The anti-Mormons contended that such a vote from the Mormons signified nothing; and truly the subsequent history of that people showed clearly that they were loudest in their professions of attachment to the law whenever they were guilty of the greatest extravagances; and in fact that they were so ignorant and stupid about matters of law

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that they had no means of judging of the legality of their conduct, only as they were instructed by their spiritual leaders.

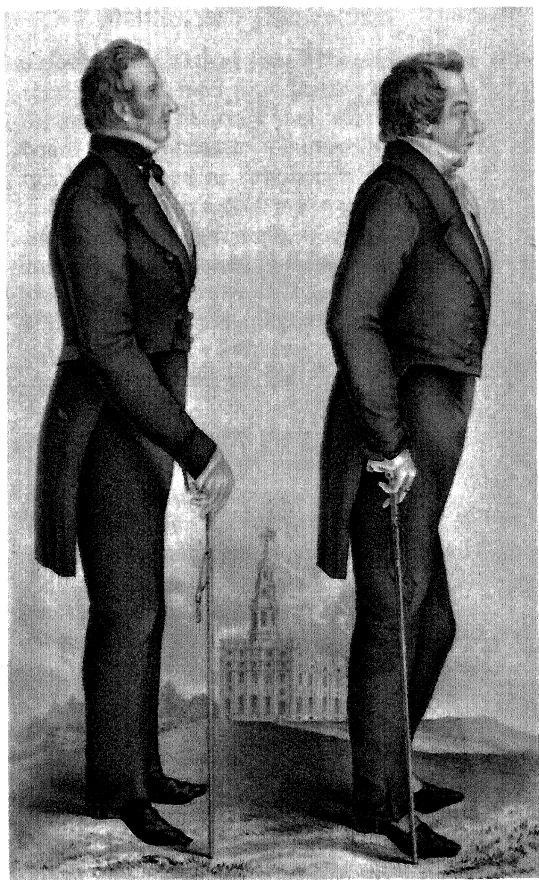
A short time before sundown we departed on our return to Carthage. When we had proceeded two miles we met two individuals, one of them a Mormon, who informed us that the Smiths had been assassinated in jail, about five or six o'clock of that day. The intelligence seemed to strike every one with a kind of dumbness. As to myself, it was perfectly astounding; and I anticipated the very worst consequences from it. The Mormons had been represented to me as a lawless, infatuated, and fanatical people, not governed by the ordinary motives which influence the rest of mankind. If so, most likely an exterminating war would ensue and the whole land would be covered with desolation.

Acting upon this supposition, it was my duty to provide as well as I could for the event. I therefore ordered the two messengers into custody and to be returned with us to Carthage. This was done to get time to make such arrangements as could be made, and to prevent any sudden explosion of Mormon excitement before they could be written to by their friends at Carthage. I also despatched messengers to Warsaw to advise the citizens of the event. But the people there



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knew all about the matter before my messengers arrived. They, like myself, anticipated a general attack all over the country. The women and children were removed across the river; and a committee was despatched that night to Quincy for assistance. The next morning by daylight the ringing of the bells in the city of Quincy announced a public meeting. The people assembled in great numbers at an early hour. The Warsaw committee stated to the meeting that a party of Mormons had attempted to rescue the Smiths out of jail; that a party of Missourians and others had killed the prisoners to prevent their escape; that the governor and his party were at Nauvoo at the time when intelligence of the fact was brought there; that they had been attacked by the Nauvoo legion and had retreated to a house, where they were then closely besieged. That the governor had sent out word that he could maintain his position for two days, and would be certain to be massacred if assistance did not arrive by the end of that time. It is unnecessary to say that this entire story was a fabrication. It was of a piece with the other reports put into circulation by the anti-Mormon party to influence the public mind and call the people to their assistance. The effect of it, however, was that by ten



HYRUM SMITH

JOSEPH SMITH

Both martyred in Carthage, Ill., U. S. June 27, 1844, for the  
word of God and for the testimony of Jesus

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o'clock on the 28th of June between two and three hundred men from Quincy under the command of Major Flood embarked on board a steamboat for Nauvoo to assist in raising the siege, as they honestly believed.

As for myself, I was well convinced that those, whoever they were, who assassinated the Smiths, meditated in turn my assassination by the Mormons. The very circumstances of the case fully corroborated the information which I afterwards received that upon consultation of the assassins it was agreed amongst them that the murder must be committed whilst the governor was at Nauvoo; that the Mormons would naturally suppose that he had planned it; and that in the first outpouring of their indignation they would assassinate him by way of retaliation. And that thus they would get clear of the Smiths and the governor all at once. They also supposed that if they could so contrive the matter as to have the governor of the State assassinated by the Mormons the public excitement would be greatly increased against that people and would result in their expulsion from the State at least.

Upon hearing of the assassination of the Smiths I was sensible that my command was at an end; that my destruction was meditated as well as that of the Mormons; and

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that I could not reasonably confide longer in the one party or in the other.

The question then arose what would be proper to be done. A war was expected by everybody. I was desirous of preserving the peace. I could not put myself at the head of the Mormon force with any kind of propriety, and without exciting greater odium against them than already existed. I could not put myself at the head of the anti-Mormon party because they had justly forfeited my confidence and my command over them was put an end to by mutiny and treachery. I could not put myself at the head of either of these forces because both of them in turn had violated the law; and, as I then believed, meditated further aggression. It appeared to me that if a war ensued I ought to have a force in which I could confide, and that I ought to establish my headquarters at a place where I could learn the truth as to what was going on.

For these reasons I determined to proceed to Quincy, a place favorably situated for receiving the earliest intelligence, for issuing orders to raise an army if necessary, and for providing supplies for its subsistence. But first I determined to return back to Carthage and make such arrangements as could be made for the pacification and defence of the

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country. When I arrived there about ten o'clock at night I found that great consternation prevailed. Many of the citizens had departed with their families and others were preparing to go. As the country was utterly defenceless this seemed to me to be a proper precaution. One company of the guard stationed by me to guard the jail had disbanded and gone home before the jail was attacked; and many of the Carthage Grays departed soon afterwards.

Gen. Deming, who was absent in the country during the murder, had returned; he volunteered to remain in command of a few men, with orders to guard the town, observe the progress of events, and to retreat if menaced by a superior force.

Here also I found Dr. Richards and John Taylor, two of the principal Mormon leaders, who had been in the jail at the time of the attack and who voluntarily addressed a most pacific exhortation to their fellow-citizens, which was the first intelligence of the murder which was received at Nauvoo. I think it very probable that the subsequent good conduct of the Mormons is attributable to the arrest of the messengers and to the influence of this letter.

Having made these arrangements, I departed for Quincy. On my road thither I

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heard of a body of militia marching from Schuyler and another from Brown. It appears that orders had been sent out in my name, but without my knowledge, for the militia of Schuyler county. I immediately countermanded their march and they returned to their homes. When I arrived at Columbus I found that Capt. Jonas had raised a company of one hundred men, who were just ready to march. By my advice they postponed their march to await further orders. I arrived at Quincy on the morning of the 29th of June about eight o'clock, and immediately issued orders, provisionally, for raising an imposing force when it should seem to be necessary.

I remained at Quincy for about one month, during which time a committee from Warsaw waited on me with a written request that I would expel the Mormons from the State. It seemed that it never occurred to these gentlemen that I had no power to exile a citizen; but they insisted that if this were not done their party would abandon the State. This requisition was refused of course.

During this time also, with the view of saving expense, keeping the peace, and having a force which would be removed from the prejudices in the country, I made application

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to the United States for five hundred men of the regular army to be stationed for a time in Hancock county, which was subsequently refused.

During this time also I had secret agents amongst all parties, observing their movements; and was accurately informed of everything which was meditated on both sides. It appeared that the anti-Mormon party had not relinquished their hostility to the Mormons, nor their determination to expel them, but had deferred further operations until the fall season, after they had finished their summer's work on their farms.

When I first went to Carthage, and during all this difficult business, no public officer ever acted from purer or more patriotic intentions than I did. I was perfectly conscious of the utmost integrity in all my actions and felt lifted up far above all mere party considerations. But I had scarcely arrived at the scene of action before the whig press commenced the most violent abuse and attributed to me the basest motives. It was alleged in the *Sangamon Journal* and repeated in the other whig newspapers that the governor had merely gone over to cement an alliance with the Mormons; that the leaders would not be brought to punishment, but that a full priv-



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ilege would be accorded to them to commit crimes of every hue and grade in return for their support of the democratic party. I mention this not by way of complaint, for it is only the privilege of the minority to complain, but for its influence upon the people.

I observed that I was narrowly watched in all my proceedings by my whig fellow-citizens, and was suspected of an intention to favor the Mormons. I felt that I did not possess the confidence of the men I commanded, and that they had been induced to withhold it by the promulgation of the most abominable falsehoods. I felt the necessity of possessing their confidence in order to give vigor to my action; and exerted myself in every way to obtain it, so that I could control the excited multitude who were under my command. I succeeded better for a time than could have been expected; but who can control the action of a mob without possessing their entire confidence? It is true also that some unprincipled democrats all the time appeared to be very busy on the side of the Mormons, and this circumstance was well calculated to increase suspicion of every one who had the name of democrat.

## Chapter 11

THE DOWNFALL OF JOSEPH SMITH  
1844-1845

**I**T was many days after the assassination of the Smiths before the circumstances of the murder became fully known. It then appeared that, agreeably to previous orders, the posse at Warsaw had marched on the morning of the 27th of June in the direction of Golden's Point with a view to join the force from Carthage, the whole body then to be marched into Nauvoo. But by the time they had gone eight miles they were met by the order to disband; and learning at the same time that the governor was absent at Nauvoo, about two hundred of these men, many of them being disguised by blacking their faces with powder and mud, hastened immediately to Carthage. There they encamped at some distance from the village and soon learned that one of the companies left as a guard had disbanded and returned to their homes; the other company, the Carthage Grays, was stationed by the captain in the public square, a hundred and fifty yards from the jail, whilst eight men

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were detailed by him, under the command of Sergeant Franklin A. Worrell, to guard the prisoners. A communication was soon established between the conspirators and the company; and it was arranged that the guard should have their guns charged with blank cartridges and fire at the assailants when they attempted to enter the jail. Gen. Deming, who was left in command, being deserted by some of his troops and perceiving the arrangement with the others, and having no force upon which he could rely, for fear of his life retired from the village. The conspirators came up, jumped the slight fence around the jail, were fired upon by the guard, which according to arrangement was overpowered immediately and the assailants entered the prison to the door of the room where the two prisoners were confined with two of their friends, who voluntarily bore them company. An attempt was made to break open the door; but Joe Smith, being armed with a six-barrelled pistol furnished by his friends, fired several times as the door was burst open and wounded three of the assailants. At the same time several shots were fired into the room, by some of which John Taylor received four wounds and Hyrum Smith was instantly killed. Joe Smith now attempted to escape by jumping out of

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the second-story window; but the fall so stunned him that he was unable to rise; and being placed in a sitting posture by the conspirators below, they despatched him with four balls shot through his body.

Thus fell Joe Smith, the most successful impostor in modern times; a man who, though ignorant and coarse, had some great natural parts which fitted him for temporary success, but which were so obscured and counteracted by the inherent corruption and vices of his nature that he never could succeed in establishing a system of policy which looked to permanent success in the future. His lusts, his love of money and power, always set him to studying present gratification and convenience rather than the remote consequences of his plans. It seems that no power of intellect can save a corrupt man from this error. The strong cravings of the animal nature will never give fair play to a fine understanding, the judgment is never allowed to choose that good which is far away in preference to enticing evil near at hand. And this may be considered a wise ordinance of Providence, by which the counsels of talented but corrupt men are defeated in the very act which promised success.

It must not be supposed that the pretended prophet practiced the tricks of a common

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impostor; that he was a dark and gloomy person with a long beard, a grave and severe aspect, and a reserved and saintly carriage of his person; on the contrary, he was full of levity, even to boyish romping; dressed like a dandy, and at times drank like a sailor and swore like a pirate. He could, as occasion required, be exceedingly meek in his deportment; and then again rough and boisterous as a highway robber; being always able to satisfy his followers of the propriety of his conduct. He always quailed before power and was arrogant to weakness. At times he could put on the air of a penitent, as if feeling the deepest humiliation for his sins and suffering unutterable anguish, and indulging in the most gloomy forebodings of eternal woe. At such times he would call for the prayers of the brethren in his behalf with a wild and fearful energy and earnestness. He was full six feet high, strongly built, and uncommonly well muscled. No doubt he was as much indebted for his influence over an ignorant people to the superiority of his physical vigor as to his greater cunning and intellect.

His followers were divided into the leaders and the led; the first division embraced a numerous class of broken down, unprincipled men of talents, to be found in every country,

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who, bankrupt in character and fortune, had nothing to lose by deserting the known religions and carving out a new one of their own. They were mostly infidels who, holding all religions in derision, believed that they had as good a right as Christ or Mahomet or any of the founders of former systems to create one for themselves; and if they could impose it upon mankind, to live upon the labor of their dupes. Those of the second division were the credulous wondering part of men, whose easy belief and admiring natures are always the victims of novelty in whatever shape it may come, who have a capacity to believe any strange and wonderful matter, if it only be new, whilst the wonders of former ages command neither faith nor reverence; they were men of feeble purposes, readily subjected to the will of the strong, giving themselves up entirely to the direction of their leaders; and this accounts for the very great influence of those leaders in controlling them. In other respects some of the Mormons were abandoned rogues who had taken shelter in Nauvoo as a convenient place for the headquarters of their villainy; and others were good, honest, industrious people, who were the sincere victims of an artful delusion. Such as these were more the proper objects of pity than persecution.

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With them, their religious belief was a kind of insanity; and certainly no greater calamity can befall a human being than to have a mind so constituted as to be made the sincere dupe of a religious imposture.

The more polished portion of the Mormons were a merry set of fellows, fond of music and dancing, dress and gay assemblies. They had their regular dancing parties of gentlemen and ladies and were by no means exclusive in admitting any one to them on the score of character. It is a notorious fact that a desperado by the name of Rockwell, having attracted the affections of a pretty woman, the wife of a Mormon merchant, took her from her husband by force of arms to live with him in adultery. But whilst she was so living notoriously in adultery with a Mormon bully, in the same city with her husband, she was freely admitted to the best society in the place, to all the gay assemblies, where she and her husband frequently met in the same dance.<sup>34</sup>

<sup>34</sup>Orrin P. Rockwell (usually called "Porter") was fiercely devoted to Smith and a member of his body-guard at Nauvoo. He was a rough individual of the bulldog type, with "the face of a mastiff and the strength of a bear." Brodie, *No Man Knows My History*, 250. John C. Bennett charged that Smith hired Rockwell to kill Governor Boggs of Missouri. Boggs recovered from his wounds and the identity of his

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The world now indulged in various conjectures as to the further progress of the Mormon religion. By some persons it was believed that it would perish and die away with its founder. But upon the principle that "the blood of the martyrs is the seed of the church," there was now really more cause than ever to predict its success. The murder of the Smiths, instead of putting an end to the delusion of the Mormons and dispersing them, as many believed it would, only bound them together closer than ever, gave them new confidence in their faith and an increased fanaticism. The Mormon church had been organized with a first presidency, composed of Joe and Hyrum Smith and Sidney Rigdon, and twelve apostles of the prophet, representing the apostles of Jesus Christ. The twelve apostles were now absent, and until they could be called together the minds of the saints were unsettled as to the future government of the church. Revelations were published that the prophet, in imitation of the Saviour, was to rise again from the dead. Many were looking in gaping wonderment assailant has never been certainly determined. We have not identified the amorous activity which Governor Ford describes. Having regard for Rockwell's uncouth and mastiff-like characteristics, the surmise is ventured that the author has mistakenly cast him for some other Mormon in the role of Lothario.



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for the fulfilment of this revelation, and some reported that they had already seen him attended by a celestial army coursing the air on a great white horse. Rigdon, as the only remaining member of the first presidency, claimed the government of the church, as being successor to the prophet. When the twelve apostles returned from foreign parts a fierce struggle for power ensued between them and Rigdon. Rigdon fortified his pretensions by alleging the will of the prophet in his favor and pretending to have several new revelations from heaven, amongst which was one of a very impolitic nature. This was to the effect that all the wealthy Mormons were to break up their residence at Nauvoo and follow him to Pittsburg. This revelation put both the rich and the poor against him. The rich, because they did not want to leave their property; and the poor, because they would not be deserted by the wealthy. This was fatal to the ambition of Rigdon; and the Mormons, tired of the despotism of a one-man government, were now willing to decide in favor of the apostles. Rigdon was expelled from the church as being a false prophet, and left the field with a few followers to establish a little delusion of his own near Pittsburg; leaving the government of the main church in the hands of the

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apostles, with Brigham Young, a cunning but vulgar man, at their head, occupying the place of Peter in the Christian hierarchy.

Missionaries were despatched to all parts to preach in the name of the "martyred Joseph;" and the Mormon religion thrived more than ever. For a while it was doubtful whether the reign of the military saints in Nauvoo would not in course of time supplant the meek and lowly system of Christ. There were many things to favor their success. The different Christian sects had lost much of the fiery energy by which at first they were animated. They had attained to a more subdued, sober, learned, and intellectual religion. But there is at all times a large class of mankind who will never be satisfied with anything in devotion short of a heated and wild fanaticism. The Mormons were the greatest zealots, the most confident in their faith, and filled with a wilder, fiercer, and more enterprising enthusiasm than any sect on the continent of America; their religion gave promise of more temporal and spiritual advantages for less labor and with less personal sacrifice of passion, lust, prejudice, malice, hatred, and ill-will than any other, perhaps, in the whole world. Their missionaries abroad, to the number of two or three thousand, were most earnest and indefati-

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gable in their efforts to make converts; compassing sea and land to make one proselyte. When abroad, they first preached doctrines somewhat like those of the Campbellites; Sidney Rigdon, the inventor of the system, having once been a Campbellite preacher; and when they had made a favorable impression they began in far-off allusions to open up their mysteries and to reveal to their disciples that a perfect "fulness of the gospel" must be expected. This "fulness of the gospel" was looked for by the dreamy and wondering disciple as an indefinite something not yet to be comprehended, but which was essential to complete happiness and salvation. He was then told that God required him to remove to the place of gathering, where alone this sublime "fulness of the gospel" could be fully revealed and completely enjoyed. When he arrived at the place of gathering he was fortified in the new faith by being withdrawn from all other influences; and by seeing and hearing nothing but Mormons and Mormonism; and by association with those only who never doubted any of the Mormon dogmas. Now the "fulness of the gospel" could be safely made known. If it required him to submit to the most intolerable despotism; if it tolerated and encouraged the lusts of the flesh and a

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plurality of wives; if it claimed all the world for the saints; universal dominion for the Mormon leaders; if it sanctioned murder, robbery, perjury, and larceny at the command of their priests, no one could now doubt but that this was the "fulness of the gospel," the liberty of the saints, with which Christ had made them free.

The Christian world, which has hitherto regarded Mormonism with silent contempt, unhappily may yet have cause to fear its rapid increase. Modern society is full of material for such a religion. At the death of the prophet, fourteen years after the first Mormon Church was organized, the Mormons in all the world numbered about two hundred thousand souls (one half million according to their statistics); a number equal, perhaps, to the number of Christians when the Christian Church was of the same age.<sup>35</sup> It is to be feared that in course of a

<sup>35</sup>Probably Governor Ford's estimate of the number of Mormons in 1844 is much too high. At the present time their number is supposed to be about 1,000,000, of whom perhaps nine-tenths adhere to the Utah or Brighamite Church and one-tenth to the Reorganized Church, whose headquarters are at Independence. The latter sends missionaries to proselyte among the Utah Saints, and the latter church reciprocates this attention. The Reorganized Saints have always abhorred polygamy and have seldom if ever had difficulties with their

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century some gifted man like Paul, some splendid orator who will be able by his eloquence to attract crowds of the thousands who are ever ready to hear and be carried away by the sounding brass and tinkling cymbal of sparkling oratory, may command a hearing, may succeed in breathing a new life into this modern Mahometanism, and make the name of the martyred Joseph ring as loud and stir the souls of men as much as the mighty name of Christ itself. Sharon, Palmyra, Manchester, Kirtland, Far West, Adam Ondi Ahmon, Ramus, Nauvoo, and the Carthage Jail may become holy and venerable names, places of classic interest in another age; like Jerusalem, the Garden of Gethsemane, the Mount of Olives, and Mount Calvary to the Christian, and Mecca and Medina to the Turk. And in that event the author of this history feels degraded by the reflection that the humble governor of an obscure State, who would otherwise be forgotten in a few years, stands a fair chance, like Pilate and Herod, by their official connection with the true religion, of being

gentile neighbors. Their head has always been a descendant of Joseph Smith and in legal disputes over the title to Church property they have twice won decisions from the Federal courts naming them as the true successor of the Church as organized by Joseph Smith.

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dragged down to posterity with an immortal name hitched on to the memory of a miserable impostor. There may be those whose ambition would lead them to desire an immortal name in history, even on those humbling terms. I am not one of that number.

About one year after the apostles were installed into power they abandoned for the present the project of converting the world to the new religion. All the missionaries and members abroad were ordered home; it was announced that the world had rejected the gospel by the murder of the prophet and patriarch and was to be left to perish in its sins. In the meantime, both before and after this, the elders at Nauvoo quit preaching about religion. The Mormons came from every part, pouring into the city; the congregations were regularly called together for worship, but instead of expounding the new gospel the zealous and infuriated preachers now indulged only in curses and strains of abuse of the Gentiles, and it seemed to be their design to fill their followers with the greatest amount of hatred to all mankind excepting the saints. A sermon was no more than an inflammatory stump speech, relating to their quarrels with their enemies and ornamented with an abundance of profanity. From my own personal knowledge of this

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people I can say with truth that I have never known much of any of their leaders who was not addicted to profane swearing. No other kind of discourses than these were heard in the city. Curses upon their enemies, upon the country, upon government, upon all public officers were now the lessons taught by the elders to inflame their people with the highest degree of spite and malice against all who were not of the Mormon church or its obsequious tools. The reader can readily imagine how a city of fifteen thousand inhabitants could be wrought up and kept in a continual rage by the inflammatory harangues of its leaders.

In the meantime the anti-Mormons were not idle; they were more than ever determined to expel the Mormons; and being passionately inflamed against them, they made many applications for executive assistance. On the other hand, the Mormons invoked the assistance of government to take vengeance upon the murderers of the Smiths. The anti-Mormons asked the governor to violate the constitution which he was sworn to support by erecting himself into a military despot and exiling the Mormons. The Mormons, on their part, in their newspapers invited the governor to assume absolute power by taking a summary vengeance upon their

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enemies, by shooting fifty or a hundred of them without judge or jury. Both parties were thoroughly disgusted with constitutional provisions restraining them from the summary attainment of their wishes for vengeance; each was ready to submit to arbitrary power, to the fiat of a dictator, to make me a king for the time being, or at least that I might exercise the power of a king, to abolish both the forms and spirit of free government, if the despotism to be erected upon its ruins could only be wielded for its benefit, and to take vengeance on its enemies. It seems that notwithstanding all our strong professions of attachment to liberty there is all the time an unconquerable leaning to the principles of monarchy and despotism whenever the forms, the delays, and the restraints of republican government fail to correct great evils. When the forms of government in the United States were first invented the public liberty was thought to be the great object of governmental protection. Our ancestors studied to prevent government from doing harm by depriving it of power. They would not trust the power of exiling a citizen upon any terms; or of taking his life without a fair and impartial trial in the courts even to the people themselves, much less to their government. But so in-



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fatuated were these parties, so deep did they feel their grievances, that both of them were enraged in their turn because the governor firmly adhered to his oath of office; refusing to be a party to their revolutionary proceedings; to set aside the government of the country and execute summary vengeance upon one or the other of them.

Another election was to come off in August, 1844 for members of Congress, and for the legislature; and an election was pending throughout the nation for a President of the United States. The war of party was never more fierce and terrible than during the pendency of these elections. The parties in many places met separately almost every night; not to argue the questions in dispute, but to denounce, ridicule, abuse, and belittle each other with sarcasm, clamor, noise, and songs, during which nothing could be heard but hallooing, hurrahing, and yelling, and then to disperse through town with insulting taunts and yells of defiance on either side.

In all this they were but little less fanatical and frantic on the subject of politics than were the Mormons about religion. Such a state of excitement could not fail to operate unfavorably upon the Mormon question, involved as it was in the questions of party politics by the former votes of the Mormons.

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As a means of allaying the excitement and making the question more manageable, I was most anxious that the Mormons should not vote at this election, and strongly advised them against doing so. But Col. E. D. Taylor went to their city a few days before the election and the Mormons, being ever disposed to follow the worst advice they could get, were induced by him and others to vote for all the democratic candidates. Col. Taylor found them very hostile to the governor and on that account much disposed not to vote at this election. The leading whig anti-Mormons, believing that I had an influence over the Mormons, for the purpose of destroying it had assured them that the governor had planned and been favorable to the murder of their prophet and patriarch. The Mormons pretended to suspect that the governor had given some countenance to the murder, or at least had neglected to take the proper precautions to prevent it. And yet it is strange that at this same election they elected Gen. Deming to be the sheriff of the county, when they knew that he had first called out the militia against them, had concurred with me in all the measures subsequently adopted, had been left in command at Carthage during my absence at Nauvoo, and had left his post when he saw that he

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had no power to prevent the murders. As to myself, I shared the fate of all men in high places who favor moderation, who see that both parties in the frenzy of their excitement are wrong—espousing the cause of neither; which fate always is to be hated by both parties. But Col. Taylor like a skilful politician denied nothing, but gave countenance to everything the Mormons said of the governor; and by admitting to them that the governor was a great rascal; by promising them the support of the democratic party, an assurance he was not authorized to make, but which they were foolish enough to believe, and by insisting that the governor was not the democratic party he overcame their reluctance to vote. Nevertheless, for mere political effect, without a shadow of justice the whig leaders and newspapers everywhere, and some enemies in the democratic ranks, immediately charged this vote of the Mormons to the governor's influence; and this charge being believed by many, made the anti-Mormon party more furious than ever in favor of the expulsion of the Mormons. In the course of the fall of 1844 the anti-Mormon leaders sent printed invitations to all the militia captains in Hancock and to the captains of militia in all the neighboring counties in Illinois, Iowa, and

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Missouri to be present with their companies at a great wolf hunt in Hancock; and it was privately announced that the wolves to be hunted were the Mormons and Jack Mormons. Preparations were made for assembling several thousand men with provisions for six days; and the anti-Mormon newspapers, in aid of the movement, commenced anew the most awful accounts of thefts and robberies and meditated outrages by the Mormons. The whig press in every part of the United States came to their assistance. The democratic newspapers and leading democrats who had received the benefit of the Mormon votes to their party quailed under the tempest, leaving no organ for the correction of public opinion, either at home or abroad, except the discredited Mormon newspaper at Nauvoo. But very few of my prominent democratic friends would dare to come up to the assistance of their governor, and but few of them dared openly to vindicate his motives in endeavoring to keep the peace. They were willing and anxious for Mormon votes at elections, but they were unwilling to risk their popularity with the people by taking a part in their favor, even when law and justice and the Constitution were all on their side. Such being the odious character of the Mormons, the hatred

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of the common people against them, and such being the pusillanimity of leading men in fearing to encounter it.

In this state of the case I applied to Brigadier General J. J. Hardin of the State militia and to Colonels Baker and Merriman, all whigs, but all of them men of military ambition, and they, together with Colonel William Weatherford, a democrat,\* with my

\*Of the officers who were out with me in this expedition General Hardin, Colonels Baker and Weatherford, and Major Warren afterwards greatly distinguished themselves in the Mexican war. Major Warren is noticed by General Taylor in his despatches to the war department as a prudent and gallant officer. Lieutenant-Colonel Weatherford was left a whole day with a few companies to guard the main pass at Buena Vista, where he and his men stood, during all that time, the fire of the Mexican artillery without being allowed to advance near enough to return it. Colonel Baker, after the fall of General Shields, commanded a brigade of two Illinois regiments and one New York regiment in storming the last stronghold of the Mexicans at the battle of Cerro Gordo, in which he and his men behaved most gallantly, carrying everything before them, which completed the entire rout of the Mexican army. General Hardin at the battle of Buena Vista, in command of two Illinois regiments in conjunction with a regiment of Kentucky volunteers, made a most gallant charge upon a large body of Mexican infantry and lancers, five times the numbers of the Americans, which decided the victory on our side; but in which Hardin and many other gallant officers and men lost their lives. But they will live in the affectionate remembrance of their countrymen to the latest time.

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own exertions, succeeded in raising about five hundred volunteers; and thus did these whigs that which my own political friends with two or three exceptions were slow to do, from a sense of duty and gratitude.

With this little force under the command of General Hardin I arrived in Hancock county on the 25th of October. The malcontents abandoned their design and all the leaders of it fled to Missouri. The Carthage Grays fled almost in a body, carrying their arms along with them. During our stay in the county the anti-Mormons thronged into the camp and conversed freely with the men, who were fast infected with their prejudices, and it was impossible to get any of the officers to aid in expelling them. Colonels Baker, Merriman and Weatherford volunteered their services, if I would go with them, to cross with a force into Missouri to capture three of the anti-Mormon leaders for whose arrest writs had been issued for the murder of the Smiths. To this I assented and procured a boat, which was sent down in the night and secretly landed a mile above Warsaw. Our little force arrived at that place about noon; that night we were to cross to Missouri at Churchville and seize the accused there encamped with a number of their friends; but that afternoon Colonel Baker visited the hostile encampment, and

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on his return refused to participate in the expedition and advised all his friends against joining it. There was no authority for compelling the men to invade a neighboring State, and for this cause, much to the vexation of myself and several others, the matter fell through.

It seems that Colonel Baker had already partly arranged the terms for the accused to surrender. They were to be taken to Quincy for examination under a military guard; the attorney for the people was to be advised to admit them to bail, and they were to be entitled to a continuance of their trial at the next court at Carthage; upon this, two of the accused came over and surrendered themselves prisoners.

But at that time I was held responsible for this compromise with the murderers. The truth is that I had but little of the moral power to command in this expedition. Officers, men, and all under me were so infected with the anti-Mormon prejudices that I was made to feel severely the want of moral power to control them. It would be thought very strange in any other government that the administration should have the power to direct, but no power to control. By the constitution the governor can neither appoint nor remove a militia officer. He may

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arrest and order a court martial. But a court martial composed of military officers elected in times of peace, in many cases upon the same principles upon which Colonel Pluck was elected in New York city, is not likely to pay much attention to executive wishes in opposition to popular excitement. So too in Illinois, the governor has no power to appoint, remove, or in anywise control sheriffs, justices of the peace, nor even a constable; and yet the active co-operation of such officers with the executive is indispensable to the success of any effort the governor may make to suppress civil war. If any one supposes that the greatest amount of talents will enable any one to govern under such circumstances, he is mistaken. It may be thought that the governor ought to create a public sentiment in favor of his measures, to sway the minds of those under him to his own course, but if any one supposes that even the greatest abilities could succeed in such an effort against popular feeling and against the inherent love of numerous demagogues for popularity he is again mistaken.

I had determined from the first that some of the ring-leaders in the foul murder of the Smiths should be brought to trial. If these men had been the incarnation of Satan himself, as was believed by many, their murder



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was a foul and treacherous action, alike disgraceful to those who perpetrated the crime, to the State, and to the governor, whose word had been pledged for the protection of the prisoners in jail, and which had been so shamefully violated; and required that the most vigorous means should be used to bring the assassins to punishment. As much as anything else the expedition under General Hardin had been ordered with a view to arrest the murderers.

Accordingly I employed able lawyers to hunt up the testimony, procure indictments, and prosecute the offenders. A trial was had before Judge Young in the summer of 1845. The sheriff and panel of jurors selected by the Mormon court were set aside for prejudice, and elisors were appointed to select a new jury. One friend of the Mormons and one anti-Mormon were appointed for this purpose; but as more than a thousand men had assembled under arms at the court to keep away the Mormons and their friends, the jury was made up of these military followers of the court, who all swore that they had never formed or expressed any opinion as to the guilt or innocence of the accused. The Mormons had one principal witness who was with the troops at Warsaw, had marched with them until they were disbanded, heard

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their consultations, went before them to Carthage, and saw them murder the Smiths. But before the trial came on they had induced him to become a Mormon; and being much more anxious for the glorification of the prophet than to avenge his death, the leading Mormons made him publish a pamphlet giving an account of the murder; in which he professed to have seen a bright and shining light descend upon the head of Joe Smith to strike some of the conspirators with blindness, and that he heard supernatural voices in the air confirming his mission as a prophet! Having published this in a book he was compelled to swear to it in court, which of course destroyed the credit of his evidence. This witness was afterwards expelled from the Mormons, but no doubt they will cling to his evidence in favor of the divine mission of the prophet.<sup>36</sup> Many other witnesses were examined who knew the facts, but under the influence of the demoralization of faction denied all knowledge of them. It has been

<sup>36</sup>This was William Daniels, a militiaman who participated in the mobbing of the Smiths. Soon afterward he became a convert to Mormonism and his story of the shooting is incorporated in the *Correct Account of the Murder of Generals Joseph and Hyrum Smith* published at Nauvoo in 1845. According to it God miraculously intervened to strike powerless the arm of the lyncher who rushed forward with a bowie-knife intent upon

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said that faction may find men honest, but it scarcely ever leaves them so. This was verified to the letter in the history of the Mormon quarrel. The accused were all acquitted.

During the progress of these trials the judge was compelled to permit the courthouse to be filled and surrounded by armed bands, who attended court to browbeat and overawe the administration of justice. The judge himself was in a duress, and informed me that he did not consider his life secure any part of the time. The consequence was that the crowd had everything their own way; the lawyers for the defence defended their clients by a long and elaborate attack on the governor; the armed mob stamped with their feet and yelled their approbation at every sarcastic and smart thing that was said; and the judge was not only forced to hear it, but to lend it a kind of approval. Josiah Lamborne was attorney for the prosecution; and O. H. Browning, O. C. Skinner, Calvin A. Warren, and William A. Richardson were for the defence.

cutting off the Prophet's head. The like paralysis extended to the four militiamen who had fired the final shots, and whose guns now fell clattering to the ground. One can only wonder why this miraculous protection was not extended in time to save Smith's life instead of merely to spare his corpse from desecration.

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At the next term the leading Mormons were tried and acquitted for the destruction of the heretical press. It appears that, not being interested in objecting to the sheriff or the jury selected by a court elected by themselves, they in their turn got a favorable jury determined upon acquittal, and yet the Mormon jurors all swore that they had formed no opinion as to the guilt or innocence of their accused friends. It appeared that the laws furnished the means of suiting each party with a jury. The Mormons could have a Mormon jury to be tried by, selected by themselves; and the anti-Mormons, by objecting to the sheriff and regular panel, could have one from the anti-Mormons. From henceforth no leading man on either side could be arrested without the aid of an army, as the men of one party could not safely surrender to the other for fear of being murdered; when arrested by a military force the constitution prohibited a trial in any other county without the consent of the accused. No one would be convicted of any crime in Hancock; and this put an end to the administration of the criminal law in that distracted county. Government was at an end there, and the whole community was delivered up to the dominion of a frightful anarchy. If the whole State had been in the

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same condition then indeed would have been verified to the letter what was said by a wit when he expressed an opinion that the people were neither capable of governing themselves nor of being governed by others. And truly there can be no government in a free country where the people do not voluntarily obey the laws.

## Chapter 12

THE CANAL PROBLEM AND ITS SOLUTION

1843-1845

HAVING in the last chapter brought down the history of Mormon disturbances to the summer of 1845, we turn again to the civil history of the State. In March, 1843 Col. Charles Oakley and Senator Michael Ryan were appointed agents to negotiate the canal loan; the first of these gentlemen was appointed because the friends of the measure in the legislature insisted on his appointment; Mr. Ryan was appointed because he had commenced the negotiation the year before and having been an engineer on the canal could give explanations as to its progress and statistics which could not so well be given by Colonel Oakley. The first, Col. Oakley, was a man of good sense and middling intelligence, and was patient, gentlemanly, and plausible in his manners; whilst his associate had more mind and ambition, with greater information, but less tact in managing business. The next thing was to raise money, some three thousand dollars, to pay their expenses. There

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was not a dollar in the treasury and the money had to be taken, a part of it from the school fund, to be replaced in a short time by other moneys coming into the treasury. This was the first charge I had to answer, urged in the south by Trumbull, the lately removed Secretary of State. Messrs. Oakley and Ryan proceeded to New York, but the negotiation was for a time likely to be defeated by partisan editors and letter-writers at home; who, in a desperate effort to make political capital, were anxious that the canal measure might fail in the hands of the dominant party. These writers misrepresented the action of the legislature, revamped the old charge of destructiveness upon the party in power, and boldly asserted that if the creditors of the State advanced the money to make the canal they would be repealed out of their rights by another legislature. This was the first difficulty the agents had to encounter; they commenced a series of publications in the New York papers, many of which were secured to speak favorably of the loan. The legislation of the last winter, the real condition of the State, its future prospects, and the means adopted to reduce the debt by a compromise with the banks and a sale of the public property were truly set forth. Confidence immediately began to

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revive; our State stocks rose in a week from fourteen to twenty per cent, and in a few weeks more to thirty and forty per cent. This awakened a universal inquiry, and men began to believe that there was some little glimmering prospect that Illinois, lately so low in the slough of universal discredit and contempt, was about to come forth like a phoenix from its ashes. The American Exchange Bank in New York held \$250,000 of canal bonds. David Leavitt, the president of this institution, a gentleman of great credit in the financial world, and being a far-seeing and sagacious financier, assisted in calling a meeting of the American bondholders. At this meeting it was resolved that the American creditors would subscribe for their proportion of the loan.

With this assurance and backed by this expression of confidence at home Messrs. Oakley and Ryan departed for England, carrying letters to Magniac, Jardine & Co. and Baring Brothers & Co. of London, and to Hope & Co. of Amsterdam, who were creditors of the State and amongst the wealthiest capitalists in Europe. These gentlemen were found well disposed to use their great influence in favor of the loan; but they wanted to be thoroughly satisfied as to the value of the canal property as a security for



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the money, and ultimately for the payment of the whole canal debt of \$5,000,000; nor were they willing to abandon the exaction of some legislation manifesting the willingness of the people to submit to taxation, if necessary, to pay some part of the interest on the public debt.

A provisional arrangement was entered into during the summer of 1843, the main articles of which were that Abbott Lawrence, Thomas W. Ward, and Mr. William Sturges of Boston should be a committee to appoint two competent persons in America to examine the canal and canal lands, estimate their value, and the amount of debt already contracted; that if four hundred thousand dollars could be subscribed and if the governor would pledge himself to recommend taxation to the next session of the legislature, this sum should be expended in the meantime, leaving the subscribers at liberty afterwards to increase their subscriptions if they saw proper. With this arrangement Messrs. Oakley and Ryan returned home in November, 1843; the Boston committee appointed Gov. John Davis of Massachusetts and William H. Swift, who was an eminent engineer and a captain in the United States army, to come out to Illinois and make the required examinations. These gentlemen

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came on early in the winter. The appointment of Gov. Davis was no sooner known than it was fiercely attacked by the *Globe* newspaper at Washington city, the great organ of the democratic party in the United States. Gov. Davis was at that time extensively spoken of as the whig candidate for Vice-President at the ensuing election; and the zealots of the opposite party pretended to believe that he had been selected by the foreign bond-holders for this particular work so as to give him the power to coerce the government and people of Illinois into the support of the whig party, and to favor the assumption of State debts by the general government or the distribution of the proceeds of the sales of the public lands. As it turned out nothing could have been more basely false and contemptibly ridiculous than this charge, but it was made with such boldness and savage ferocity that if it had been seconded in Illinois it could not have failed to have disgusted our foreign creditors and defeated the negotiation. It seemed that the demon of party on both sides insinuated itself into everything to defeat all rational efforts for the public welfare. To this charge of the *Globe* Senator Ryan published a reply characterized by much boldness and vigor, in which the foreign

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bond-holders and Gov. Davis were defended with considerable ability and the editor of the *Globe* was castigated for his impertinent interference in our State affairs, with little less ferocity than the charge of the *Globe* itself.

Governor Davis and Captain Swift proceeded with their examinations; found the representations of Messrs. Oakley and Ryan to be substantially true; and in their report, occupying about one hundred pages, strongly recommended the loan. On my part, I agreed to recommend taxation to the legislature; and it was now confidently believed that success would crown our efforts early in the following summer. It became necessary to send an agent back to London to complete the arrangement, but there was no money to pay his expenses. The sum of \$1,500 was soon obtained, with my sanction, by Gen. Fry on a pledge of canal scrip, which enabled Senator Ryan to return to London in the spring of 1844. But as the subscription of \$400,000 had not been made up according to agreement the foreign bond-holders refused to proceed further with the loan until some substantial evidence should be given by the legislature that the population of the State had some regard to their obligations and to the claims of their cred-

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itors, and should make at least a beginning to pay interest on all her debts. It seemed to be the great object of our foreign creditors not so much to secure the amount of their claims as to procure a restoration and practical recognition of the obligation of public faith among States and nations; and in the meantime the London committee sent out to America for Gov. Davis, as, they said, by the details he might give, to inspire with greater confidence the parties from whom subscriptions were solicited. This put off the negotiation until late in the summer; and as it was now near the regular session of the legislature in December, 1844 the London committee broke off the negotiation to await the further action of that body. During the pendency of the last negotiation Col. Oakley had also returned to London; and now both he and Senator Ryan returned home, the unlucky ministers of a broken and discredited State; Oakley to New York to urge further efforts and Ryan to his seat in the Senate.

Ryan was ambitious of political distinction. Whilst he remained in an humble position his manners and pretensions had been humble and amiable; but so soon as he was elevated he became irascible, dictatorial, and overbearing. He placed his heart on

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getting the money to make the canal; success was to make him the greatest man in the State; failure was to return him to his original obscurity; for this reason he had no patience with the delays incident to this kind of business; every little delay irritated and soured his temper, which he was at no trouble to conceal; so that his demeanor towards the foreign bond-holders was more calculated to disgust than to win their favor. His ambition for exclusive credit had led him, in anticipation of a triumph, to quarrel with and abuse his colleague; but now that both had failed, that there was no credit to quarrel about or divide, he looked around for some convenient person to bear the censure. Instead of coming home to be met with smiles and congratulations, he fancied that he returned only to breast the frowns of an indignant people, and to answer for his bad success. In this extremity he submitted to a weakness which I regret to relate, but as the matter made much noise at the time some account of it is necessary to the completeness of this history. In looking around for a person to throw the blame on he selected Gov. Davis, the man he had defended before against the attacks of the *Globe*. Gov. Davis was a very distinguished whig politician; as such, there was great prejudice against him

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in the opposite party, which prejudice had been increased by newspaper accounts of his opposition to the war of 1812. He was called an old federalist, which I have already said in another place meant, in the minds of western democrats, everything that was atrocious and abominable. Here then was the very man to attack. Gov. Davis would defend as a matter of course; the people would be divided in the quarrel; the whigs for Gov. Davis and the democrats for Ryan; and thus he would sustain himself, at least with the democracy. This is a trick which, when hard run, unprincipled politicians frequently practise, and cannot be too much condemned by all honorable men. Ryan no sooner arrived in America than he revived the calumnies of the *Globe* newspaper, which he had refuted before, and now openly charged in the New York papers that the Boston committee had sent out Gov. Davis to delay the loan until after the pending Presidential election so as to favor the election of Mr. Clay; and that Gov. Davis did delay it for that purpose. The falsity of this charge is apparent from the following extract of a letter from Baring Brothers & Co. to Ryan himself, a copy of which is now before me: "Since writing what precedes, a copy of the Ottawa *Free Trader* newspaper

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of September 12 has been put into our hands, with a publication bearing your signature. At this distance we cannot appreciate the party or personal motives which have dictated your statements, nor the effect they may produce on the people of Illinois; but to those who are acquainted with all the circumstances of the case the coarseness of language and the perversion of facts contained in this article will be more prejudicial to the writer than to those whom it is intended to injure. We sincerely regret the appearance of such a manifesto from you on account of the feelings it displays, and of the continued hostility which it seems we must expect from you and your friends to the trustees and to the measures which we believe to be most conducive to the satisfactory completion of the canal; to the ultimate payment of the creditors, and to the general welfare of Illinois. It is more probable that, had we anticipated all your vexatious proceedings, we should have declined all interference with the loan and have left you and Col. Oakley to regret the failure of your negotiation; but having once embarked in the undertaking we shall continue the course which we consider to be in conformity with our duty regardless of unfounded charges and insinuations, from whatever point they

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may proceed; and we trust and believe that our friends on your side who are entrusted with the administration of the affairs of the canal will pursue the same line of conduct.

“You are incorrect in stating that the subscription for \$400,000 was completed, even if the report of Governor Davis and Capt. Swift had proved satisfactory at the time of your departure, after your first visit to this country; and you are further mistaken in supposing that Governor Davis was influenced by any party views in his communications with us, or in his proceedings under our direction. He never advised the delay of the loan on account of the pending presidential election; he never stated that it would be desirable to wait to see whether Mr. Clay, if elected, would support the assumption of State debts by the federal government; he never held out any hope that he would accept the trusteeship, although we were most desirous that he should be appointed; and his advice always was that the canal bond-holders should accept the canal and canal lands in trust and advance the money required, with or without taxation for the payment of interest. But we as universally insisted that before any further sums of money were lent for the public works of Illinois some substantial



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evidence should be given that the population of the State had some regard for their obligations and to the claims of their creditors. We know very little of the party politics of the United States, and still less of those of your State; and politics never interfere with our dealings either with States or individuals. Our motive for inducing Governor Davis to visit Europe was that he might, by the details he would give, inspire with more confidence the parties from whom subscriptions were solicited; and we still believe that his report and verbal statements were mainly instrumental in preparing us and others for the increased subscriptions to which we agreed during Mr. Leavitt's visit here. As we are anxious that our communications with you should not be exposed to misconstruction, we forward this letter open to Mr. Ward of Boston, to be sent, after perusal and copy, to you.”\*

\*As Ryan may probably attempt to reply to the statements in the text, it may be proper once for all to make a full statement of his conduct. Before he made his charges against Governor Davis he balanced the matter in his mind, whether it would not be better policy to lay the blame of the failure of the canal negotiation on me; but he finally decided that he could attack a whig with more success than a democrat. The grounds upon which he designed to attack me were, first, for appointing Col. Oakley to be his colleague; he

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alleged that Col. Oakley having formerly been one of the fund commissioners, many of the bond-holders believed him to be dishonest, and to have swindled the State. It is true that Governor Carlin and others had boldly made this charge at home; but it is doing Col. Oakley but simple justice to say that his guilt had never been established to the satisfaction of the people. Secondly, that I had promised to send Ryan a power of attorney in 1844 to negotiate and close the terms of the contract, which was never sent. For which reason he found himself in London confined in his power to negotiate with the bond-holders alone. He alleged that if he had possessed such a power of attorney he could have withdrawn the negotiation from the bond-holders and made application for the money elsewhere, and thereby could have coerced the bond-holders to make a favorable decision before the arrival of Governor Davis. To all which I reply, first, that whether Col. Oakley's appointment was good or bad it was dictated by the friends of the canal; by those most particularly interested in the negotiation; and was recommended to me at the time by Ryan himself. Second, I never promised to send Ryan a power of attorney to negotiate and close the terms of the contract. This is a power which I would have trusted to no one. I always intended that Ryan, or Ryan and Oakley, might negotiate for the loan, but the contract no one should make for the State but myself. I did promise to send Ryan a power of attorney to settle with the estate of Wright & Co., which was sent, and was the only one ever promised. Third, if Ryan had possessed ever so many powers of attorney he could have made nothing by withdrawing the negotiation from the bond-holders. They were the only persons in the wide world from whom there was any chance to get the money; and this was well known to both Ryan and to the bond-holders. The bond-holders had an interest which others had not. We

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already owed them money which they had no expectation of getting paid to them without making a new advance. And yet Ryan pretended to believe that if he had had the power to withdraw the negotiation from them, and threaten them with an application to other capitalists, that they would at once have quailed and closed the contract before the arrival of Governor Davis. Fourth, Oakley afterwards returned to London, he and Ryan were there together, and had a joint power of attorney given the year before which would have authorized them to withdraw the negotiation from the bond-holders and apply elsewhere.

If the money could have been obtained from others, or if the bond-holders could have been alarmed into terms by their threatenings, why now did they not succeed? They both failed in the negotiation with the bond-holders and never pretended to apply elsewhere, or if they did they were bound to fail again, and they knew it; for no man in the whole world would at that time have lent Illinois money without having an interest which compelled him to do it. After the canal bill finally succeeded Ryan wanted to be State trustee; for which reason he made friends with Governor Davis, who was expected to be one of the trustees on the part of the bond-holders. I refused to appoint Ryan, and no sooner did he ascertain this refusal than I found him urging the appointment of Col. Oakley, the man he had charged as being a thief and a swindler whilst he was fund commissioner, a man in whom he said the bond-holders had so little confidence that his appointment to negotiate with them had caused the failure of the negotiation. I have always believed that Ryan had hopes of being appointed chief engineer on the canal if Oakley could be appointed trustee. These statements are made merely to illustrate the civilization of the times, and not at all to affect Mr. Ryan injuriously; for I am well aware that the state of political morals among poli-

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In the fall of 1844, Mr. William S. Wait of Bond county addressed a letter through the newspapers to the governor against taxation for the payment of the public debt; this gave me a decent pretext for coming before the people with my views in favor of the measure in advance of the meeting of the legislature, then to convene in December following. I knew that nothing could be more unpopular than to favor an increase of taxes; in so doing, I knew that I came into immediate collision with every demagogue and incurred imminent hazard of making myself utterly odious to a tax-hating people. I clearly saw that to be opposed to taxation might be the better for myself, but certainly worse for the State.

The following is the substance of the letter addressed to Mr. Wait, through the newspapers: "I am much pleased that your esteemed favor of September 20th, published in the *State Register* yesterday, has made a proper occasion for some suggestions of mine on the payment of the State debt before the meeting of the next legislature. A deeper interest than what is yet manifest ought to be felt in this subject. It ought to be dis-

tioned is such that a man may do many, yes, very many worse things than these and still be very respectable as a politician. God grant that it may not be so long.

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cussed more than it has been; the people ought to begin to move in it, and make known their will before the meeting of the next legislature.

“You object to increased taxation to pay any portion of interest, believing that the sum within our ability to pay without driving the people to desperation by oppressive taxes will be so small that the effort will be without utility; and also because the general failure of crops for the last two years in a great portion of the State, the high waters of the last spring, the destruction of farms, stock, and crops thereby, and the unprecedented severe sickness of this summer and fall will render it absolutely impossible to collect the present taxes, to say nothing of increased taxation

“During the last two years many persons have anxiously looked to the next general Assembly, expecting that body to settle forever the question as to what shall be done with the public debt. The question may be postponed; but putting off the evil day will not settle it. It will present itself to every succeeding legislature. We can never get clear of it by postponing it. The men of this day may attempt to throw it upon the future; they may decide to do nothing, but if we decide against the honest claims of our

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creditors it will be forever rising again to annoy us. The moral sense of the world will be against us and will forever remind us that such a question cannot be settled except in conformity to justice. The fact will stare us in the face that we have had the money of our creditors and that they have had nothing in return. Like the ghost of Macbeth, every time the legislature meets it will rise to glare upon their vision and will not down at their bidding. It will make itself seen, heard, and felt until mankind can eradicate their memories and consciences. There is no possibility of destroying the fact or the question to which it gives rise. All that we can do is to postpone the evil day; and in the meantime we keep ourselves and the world in the fearful apprehension that blighting ruin will sooner or later fall upon this fair land in the shape of high taxes.

“This has been our condition for years past; the mere belief that taxes may be oppressive has lost us many citizens. The high and palmy days once were when we doubled our population in a few years; when if a man had more land than he wanted for cultivation, or if he wanted to leave the country or remove from one part of the State to another, he could sell his land for cash. But those days are gone. What has produced

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this? has it been high taxes? No! it has been only the fear of them. Is it because industry has been burdened and the country drained of its money to pay either principal or interest of the debt? No! not one cent has yet been paid by taxation. Nevertheless, the people have lived in more alarm than if all the evils they imagined had actually existed. Let us then settle the question and know the worst at once, for the worst can never be so bad as that unmanly fear which blights all enterprise.

“There are but two modes of settling this question; one will be to begin at once a system of taxation which we mean to pursue; the other is by direct repudiation. This last mode will expose us to the merited scorn and contempt of the civilized world. It defies the internal principles of sacred justice, and will establish for us among all men a reputation as odious and detestable as that of a nest of pirates. Mankind will never forget and we can never ourselves forget that we have had the money of our creditors, that we owe them, that they have lost that much; and that with a heaven-daring impudence and scornful defiance of the moral principles of man’s nature we deny the debt and refuse to pay it.

“Suppose that the question can be settled in this manner, what better will we be off?

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It is true that the fear of high taxes would be removed for the present; but will this invite immigration? Will it enable us to sell our property? Men with means to buy would not come to the State. Such persons would never venture themselves here. No man would bring here a good character to be swallowed in our infamy. If any did come, they would be the worthless of mankind; such as we ought to desire to keep away. Our State would become a catchall for passing rogues and vagabonds. The men of character already here would soon lose all self-respect for the character of the State. The State itself would be a place of refuge, where swindlers, horse-thieves, and counterfeiters could resort, to be received and treated as gentlemen. Who of our present population desires to see this? Who desires to raise a family of children in the atmosphere of dishonor, to grow up among swindlers and vagabonds, and leave them at his death an inheritance of infamy? None of us. I am satisfied that all of us, and you in particular, duly appreciate the advantages to a State of a character for honor and uprightness. We look to Kentucky, Tennessee, Virginia, New York, and New England, and why are they great and honorable among States? It is their intelligence, justice, sense of honor, and



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an all-consoling State pride which make them so. We all wish to see Illinois have a just State pride, let this feeling be cultivated here, let us have something to be proud of, let us vindicate ourselves in our own eyes by acting in such a manner as to deserve to be proud of our State. Until we do this a State pride cannot exist; without this a people may boast, but their boastings will be but the empty swagger of vulgar vice and ignorance, not the complacent, dignified self-respect of the upright citizen. The successful robber exults; and we may exult in the infamy of repudiation, but we cannot exult like a Kentuckian, Virginian, or Yankee. Our sons will never be able to show themselves abroad exulting in the character of their native State, as young men do who are conscious of creditable parentage. This State pride is of great worth to any people. It inspires them to make noble efforts at improvement and excellence, which efforts are totally paralyzed by the contrary feeling of a sense of degradation.

"Many persons regret that this sacred feeling of State pride is not more on the increase in Illinois. We frequently hear strangers speak disparagingly of our people; they do it to our faces in our towns and villages. We ourselves do the same. Every one

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may speak ill of us with impunity. In Kentucky or Virginia this would not be hazarded. There the perpetrators of such obloquy would be certain to be insulted, and in great danger of physical injury. We are a new State and therefore something of this kind must be expected. Many of our citizens are so recent that as yet they can hardly realize that Illinois is their country. As a new State we have a character to make. We may choose a good or a bad one. But we may be certain that no just State pride can ever exist where it is not really deserved. We have to deserve the good opinion of the world and our own before we can have it. And I do anxiously hope to see the day when Illinois, a State in which I have lived for forty years, may have and deserve a good old-fashioned State pride like some of the older States of the Union; so that her people may feel it, be animated by it to improvement and noble enterprise, and be solaced by it both at home and abroad. I am sure that repudiation of our just debts can never bring us this; but must drag us down like the weight of the nether mill-stone to the abyss of self-abasement, to the great whirlpool of the contempt and scorn of all right-minded and civilized people. It can only degrade us; it can never settle the question of the

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public debt; that question will arise at every session of the legislature, and in the counsels of every new set of men put into power. The memory of the debt will never be lost; our obligation to pay it is imperishable. We may deny it and plead *non est factum* to our bonds; but like the rogue who seeks to cheat his creditor in private life, we will still owe the debt, the damning consciousness of which, being registered in our hearts and in heaven's high chancery, will stick there to plague us forever.

"Such a settlement of the question, if it could be made, would be of no use, but full of mischief. It would invite neither wealth nor people to come among us. It would not increase the value of our property nor make it more saleable; but in my humble judgment it would debase us and belittle us in our own estimation; make us deserving of the detestation and scorn of the world and fill our State with the low dregs, the scum, the refuse population of other countries—refugees from justice and others, who leave their country for their country's good. How then can this question be settled? I answer that there is but one way, and that is to nerve our hearts and arms and meet it like men. If we can do but little, let us do that little. I am not now in a situation to know how much

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can be done. The legislature will be the best judge of this when they meet, and as the fear and not the existence of high taxes constitutes our embarrassment, it is hoped that the legislature will provide such a settlement of the question as will ascertain the whole height and depth, length and breadth and thickness of the apprehended evil, for until this is done the fancies, the fears, the imaginations of men will conjure up evils exceeding the reality. The reality, whenever it comes, can never be so terrifying as the undefined, dreamy imaginations of men looking for an unknown and untried evil."

This letter arrived at New York in course of mails, and was very extensively republished in the eastern newspapers. It attracted the attention of Mr. Leavitt and encouraged him and Col. Oakley to return to Europe early in the winter. Upon their arrival in London the letter had preceded them and, Mr. Leavitt informed me, had already produced a very favorable change in the minds of our creditors; as by it they were convinced that the public men in Illinois were not all of them demagogues. It was now agreed by Mr. Leavitt, Magniac, Jardine & Co., and Baring Brothers & Co. to complete the subscriptions to the loan, these gentlemen each subscribing for a much

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larger share of it than they had originally intended.\* Mr. Leavitt and Col. Oakley, with Gov. Davis, hurried on to Illinois and arrived in Springfield about the middle of February, 1845, during the session of the legislature, and about sixteen days before it was to adjourn.

Upon the meeting of the legislature I found that quite an opposition had been organized to the administration. The whigs from party motives were compelled to be against me. The democrats were in a majority of about two-thirds in each house; and here as everywhere else the larger the majority the less is the tenacity of its parts. When majorities cease to fear the minority they are the readier to quarrel amongst themselves. Nothing more promotes union in a party than the fear of defeat; and nothing more promotes anarchy in its members than over-confidence of strength. In my

\*It is not known in Illinois how much credit is due to Mr. Leavitt for the success of these negotiations. Being a man of great wealth and well-established integrity, and being also himself the owner of \$250,000 or more of the Illinois canal stocks, he was able to have an influence with the foreign bond-holders which could have been exerted by no citizen of Illinois. To Mr. Leavitt's visit to Europe and his own liberal subscription are we undoubtedly indebted for the final success of the loan.

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case there was still another cause for a factious opposition. I had within the last two years to make several important appointments; such as two bank commissioners, a Secretary of State, three judges of the supreme court, and one United States Senator. This was just enough of patronage to make the executive more enemies than friends. For these offices there were many applicants; those who were disappointed became bitter enemies; and now a great effort was to be made by these disappointed factionists of the democratic party to defeat the confirmation of the senator and judges before the legislature, and in conjunction with the whigs to oppose and discredit the administration.

It is an easy matter to raise an opposition to any administration. It is only to assume that all men are perfect or ought to be so; that in fact the millennium has already come; and a standard of perfection is to be adopted in judging of all matters of government as if the millennium had come in very deed. It is to turn away your eyes from everything which is right in an administration and to exaggerate all little errors and bring them forward as an evidence of corruption; it is to promulgate falsehood and, if need be, swear to its truth; and in this spirit to find fault with everything and approve nothing. Lies

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should be uttered boldly, with no appearance of doubt; and in number they should be as legion;<sup>37</sup> for it is a maxim with factionists that where a great quantity of mud is thrown upon a man some of it must certainly stick. As to measures, the administration is obliged to choose some out of many, supposed to be equally well adapted to bring about some result. And in every government there are frequent occasions when it is exceedingly doubtful whether one course or another ought to be pursued. The administration is obliged to decide in favor of one course or one set of measures; the factionist is then to take the other side and as his measures are not to be tried by the test of experiment he has every advantage. If the measures of the administration fail of giving the most perfect satisfaction the difficulties attending them, after they are tried, will be visible to the meanest capacity. But the insufficiencies of rejected measures will never be seen, or at least can never be demonstrated. They may be conjectured, but not proved. The factionist is to make no allowance for all this, but is to charge all the little insufficiencies which too often accompany the most perfect means,

<sup>37</sup>Similarity to the practices of a certain German dictator of infamous recent memory will not escape the attentive reader.

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and which actual experiment has developed, to imbecility and want of judgment; and is stoutly to insist upon the absolute perfection of other measures and other means not chosen. And this he can do with the greater plausibility as the measures not tried can only be conjectured. An administration in new and difficult positions goes on like men opening a road through heavy timber; all behind can be seen, but all before is hidden from the sight; and it is as easy to conjecture one thing as another of an unknown and unexplored country. The factionist is he who goes before and prophesies evil; and comes after, when the obstructions to sight are removed, and cavils at the small hills and ravines in the way. If fault-finding is the only art of the factionist, he is to imitate the humble genius of the swine, which, although they cannot build fences are sure to find such large cracks and holes in them as have unluckily been left unstopped by the builder.

Upon this plan an opposition was raised to my administration. The disappointed office-seekers succeeded in getting a committee of my personal enemies appointed in the lower house to examine the executive offices. This committee entered into an alliance with a notorious lying letter-writer and pretended to give him information of



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the enormities which they had discovered in the government, which he wrote out and published for the information of the people. They went sneaking about through the executive offices with the stealthy step of one who wanted to steal, hunting up matters of accusations. I paid no attention to their inquisitorial search, but treated them with perfect contempt, knowing that they would never dare to make a report against me. The committee continued their examination all the session, giving out wonderful accounts to be published in the newspapers, but they never made any report. As they really found nothing to report against they thought it best not to report at all. This was the newest way of discrediting an administration practiced upon me on three different occasions, exclusive right to which ought to be secured to the inventors forever. This opposition amounted to nothing so far as I was concerned myself; but it came near defeating the canal.

The opposition was put on foot in part by Mr. Trumbull, late Secretary of State, who had his private griefs to assuage; and by an ambitious aspirant for the United States Senate<sup>38</sup> who, though often assured to the contrary, would never believe but that I would be a candidate for that office in 1846. Trum-

<sup>38</sup>Stephen A. Douglas.

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bull, being a good lawyer but no statesman, was literally devoured by ambition for office, and was rather unfitted to be popular by any natural means with the people amongst whom he resided.<sup>39</sup> He seemed to have the opinion that the only means of success was to be a demagogue; and he was unfitted by nature to be a demagogue. So far from possessing that appearance of generosity and magnanimity which often recommends a man to the people, his manners were precise and his appearance would be called by many *puritanical*. He was a man of strong prejudices, and not remarkable for liberal views. No such man can very successfully play the demagogue; he may manage well with politicians, but he can never establish a broad foundation of support among the people as there is nothing in such men to attract the people to their opinions and character. Such men might be respectable, acting in accordance with their natural gifts, but must always fall when acting a part for which they were never fitted by nature.

After Trumbull was removed from the office of Secretary of State in the spring of 1843 he hurried off to the Belleville district to be a candidate for Congress, calculating

<sup>39</sup>Notwithstanding which he eventually served three times as U.S. Senator from Illinois (1855-73).

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to secure all the rabid democrats who were most hostile to banks to be in his favor. But he failed in getting more than two votes in the nominating convention. The next year he quarrelled with his old friend, Governor Reynolds, for the privilege of being a candidate, and at this session he became a candidate for the United States Senate, but declined before the election as it became evident he would get but a few votes. After that, again he became a prominent candidate for governor, but being again defeated he immediately became a candidate for Congress in the Belleville district, obtained the nomination from his party, and in a district where the democratic party is in a majority of three or four thousand votes he was defeated by more than two thousand majority against him. Up to this time Trumbull was looked upon as a man of great promise in the democratic party. He was believed to be an active, ambitious, and rising man, one who was to possess considerable power. And although without this belief in his favor he would have had no power, yet the idea that he was to be great naturally gave him power. Men love to worship the rising sun and are careful about making enemies of one who either is now, or who it is believed will soon be, great. Poli-

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ticians estimate the value of such a man as the speculators estimated the value of Chicago lots in 1836. Chicago was then but a village; but it was believed that it would soon be a city, which made lots there sell for more than they are worth now that it has become a city of fifteen thousand inhabitants. Or rather, politicians value such a man as a farmer values a favorite colt; he measures it from the fetlock to the knee and from the knee to the shoulder blade and from thence to the withers and from thence to the loins and around the body, and if he can see in it the promise of a fine horse he asks more for it than he would if it were already a horse. But when Trumbull was defeated for Congress by so large a majority, thus disappointing the popular belief in his destiny, his power and consequence vanished in a moment. It was now certain that the village was not to be a city nor the colt a fine horse. A man's strength is not always real, but greatly depends upon the continued run of a general belief that he is strong, or will be strong some time in his life. For which reason when a public man is once prostrated, right or wrong, he rarely ever rises again. The charm of his power is gone.

The ambitious aspirant for the United States Senate before alluded to became

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alarmed when I first came into office lest I might be in his way in 1846; and no assurance from me would convince him to the contrary. As I really did not intend to be a candidate I never suspected the system of tactics he put in operation against me. For the amusement of the reader I will state some of his doings. He advised the compromise with the banks to get it introduced into the legislature as an administration measure, and he then opposed it as not being sufficiently democratic. He advised and insisted upon the removal of Trumbull, and when it was done he denounced the act as being an unjustifiable act of power, by means of which he procured Trumbull and his friends to be my enemies and friends to himself. He went to leading men in the south with a view to put them against me by insisting that as I resided in the north I must be the representative of northern interests. To the northern men he insisted that as I had been brought up in the South, with southern feelings and prejudices against Yankees, every northern man was interested in opposing me. One other man desired to make a vacancy for himself in the Lower House of Congress by the election of a member of that body to the Senate; and fearing that I might be in the way of his favorite,

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this will account for packing a committee against me at the session of 1844-45.

The opposition aimed to defeat my appointments for United States Senator and judges of the supreme court in the elections by the legislature, and to defeat the election of friends of mine who were candidates for public printer, auditor and treasurer; but they were most anxious to get a majority against the measures of the administration. For this purpose the leaders, as usual, opposed everything they supposed the governor was in favor of. The election of United States Senator was first brought on; Trumbull himself was the candidate against my appointment. The election of public printers came next; the election of auditor and treasurer afterwards, and last of all came the election of judges. The plan was to keep the election of judges to the last, and in the meantime to add a little to the opposition strength by gathering the discontented in every preceding election; and then to swell it up again by enlisting such as were opposed to the measures recommended by the executive. My friends were all elected to office; but the opposition came near defeating the canal.

Amongst the most important measures recommended by the governor were the canal bill and a bill to increase the taxes. It

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has been claimed by Trumbull and his friends that they never opposed the canal, they were only hostile to all canal measures proposed by its friends, without proposing any of their own. As I have said before, about the middle of February Governor Davis and Mr. Leavitt arrived in Springfield, during the session. The opposition were ready to open their eyes and stare with wonder at these envoys of the public creditors. The words federalists, aristocrats, monied kings were freely whispered about. It was given out that a brace of proud aristocrats, the representatives of the monied aristocracy, had arrived to wheedle, coerce, or bribe the legislature as best might suit their purposes. Many who were most active in spreading these dire alarms took sly peeps at the strangers, hoping to find confirmation for their fears; and one or two of them at least with the hope that bribes might be offered. But contrary to their hopes they found Governor Davis and Mr. Leavitt plain, sensible gentlemen; modest and retiring, though kind and familiar when familiarity could be indulged in with propriety. Many of the opposition members took quite a fancy to Governor Davis, to his natural manners, evident kindness of heart, and air of sterling integrity. One of them, after making his ac-

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quaintance, was so struck with his good qualities that he offered, if Governor Davis would remove to Illinois, to have him right at once made a justice of the peace; and if he behaved well in that, promised that he should be elevated to higher office, with rapid promotion.

Governor Davis and Mr. Leavitt made the proposition of the public creditors, which was communicated to both Houses through the executive. A bill was prepared by the committee of finance and reported by Mr. Arnold of Chicago proposing some amendments of the canal law of the previous session, and provision for a permanent tax to pay a portion of the interest on the public debt. This bill passed the House by some twenty majority; but whilst there pending, Messrs. Trumbull & Co. arrayed themselves in opposition to it; their main power and art in so doing being to alarm the timid by holding up the terrors of an unpopular vote in favor of taxation. Trumbull took his stand in the lobbies of the two Houses for the purpose of calling out and lecturing members and threatening them with the indignation of the south for showing it the least favor.

Besides this, the whig party were very undecided as to what course they would take.



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That party contained in it many ambitious gentlemen of fine talents, well qualified to serve their country in the highest offices; but the overwhelming majorities against them had kept them down. Many of them had become disheartened or embittered to the last degree. Such as these were ready to adopt any expedient for breaking up the thorough organization of the democratic party. This portion of the whig politicians was led on by George T. M. Davis, a whig lawyer and editor, a man of great activity and enterprise; but rather unscrupulous as to the means he employed. A secret meeting of the whig leaders was called. In this Mr. G. T. M. Davis insisted that the whig party should oppose the canal, oppose an increase of taxes, and all measures to pay the public debt. He insisted upon an alliance of the whigs with the southern democrats on these questions as a means of overthrowing the organization of the democratic party; of making a new division of the parties geographically between the north and the south. There was to be a southern party and a northern party and the whigs were to take the side of the south. But N. D. Strong of Alton and Judge Logan, being both of them talented whigs and members of the legislature, had too much self-respect to enter into

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such a miserable intrigue. They were threatened with expulsion from the whig party for their contumacy. They succeeded, however, in breaking up Davis' arrangement. Judge Logan's support of the canal measures was the means of carrying them through the legislature. To the honor of the south I record the names of four members from that quarter who voted in favor of these measures. These members were Strong of Madison, Adams of Monroe, Janney of Crawford, and Dunlap of Lawrence; one of them a whig and three of them democrats. These gentlemen ought to, and will, be long remembered for their integrity and moral courage. It is due also to Messrs. Gregg and Arnold of the House of Representatives and Messrs. Judd and Mattison of the Senate that their names should be recorded in history and long remembered for their efficient advocacy of these measures.

After the bill had passed the House it was sent to the Senate; here it was defeated two or three days before the close of the session by a single vote. Its enemies now triumphed in a most uproarious manner. Its friends rallied and procured a reconsideration of the vote. It was predicted that nothing but bribery could now carry the bill; and senators were clamorously warned that any

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change in their votes would subject them to the strongest suspicion of bribery; two of the opposition senators had helped to defeat it in the hope of creating a necessity for the offer of bribes. One old senator who desired to be bribed was as clamorous as the rest. A few of the friends of the canal living in LaSalle and Cook counties made up a subscription of eighty acres of land and some money to bribe him, and would have done so if they had not been advised to the contrary. Such a course towards one senator would have been unjust towards others who lent the measure their honest support, by subjecting them to injurious suspicions.

The vote on the bill in the Senate by which it had been defeated being reconsidered, the bill was referred to a select committee, together with another bill of an unimportant character which had already passed the House of Representatives. It was known that one senator would not vote for the tax and the canal both in the same bill. By their connection the tax was made to appear as a local measure, intended only for the benefit of the north. The committee, therefore, divided the bill. They struck out of the canal bill all that related to a tax, and they struck out all of the bill referred with it and inserted the taxing part into that. And these

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two bills being now reported back to the Senate, the Senate concurred in their passage as thus amended by them. They were sent back to the House of Representatives the same hour for the concurrence of the House in the amendments of the Senate, which was given; and thus these important measures passed into laws; or, instead of saying that they passed, I ought rather to say that they wobbled through the legislature. To Thomas M. Kilpatrick, late senator from Scott county, is the honor due of the good management in the Senate, in dividing and amending the measure and thus securing its passage. I give these facts, curious as they may appear, to illustrate the fertile genius of western men, and as a specimen of the modes of legislation in a new country.

The legislature adjourned a day or two after this and the opposition members returned to their constituents in the worst humor imaginable. They threatened a rebellion of the whole south; but, as usual in such cases they were much more excited than their constituents. A few of the disappointed ones, Trumbull amongst the number, threatened to make speeches all around the regular circuit and excite the people against these new measures. But Walter B. Scates, the judge of that circuit, announced his inten-

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tion to answer them and chastise them as their demagogism deserved, which made them abandon their design. In the summer afterwards two great conventions of the southern people were held, one at Marion and the other at Fairfield, and upon motion of Judge Scates nearly unanimously declared in favor of the canal and of taxation for the payment of the public debt. Thus did the people of the south nobly redeem themselves from the aspersions of the demagogues who misrepresented them in the legislature; and thus perished the last hope of repudiation in Illinois. When Trumbull afterwards became a candidate for governor he was as much in favor of taxation and the canal as any man in the State.

It now only remains to be said on this subject that the canal arrangement was perfected under the laws passed at this session, in June, 1845. Two trustees were elected by the bondholders and one was appointed by the governor; the board was organized, the work on the canal was let to contract, money was obtained as it was wanted; and now there appears to be a moral certainty that the canal will be completed in the course of a year.<sup>40</sup>

<sup>40</sup>The Canal was completed and the first boat passed through April 23, 1848, approximately a year after this forecast was made. Begun July 4, 1836 it had cost the

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At this session the legislature put down the rate of interest on money to six per cent. This was caused by the conduct of the merchants in the middle and southern parts of the State. In the time of bank suspensions, when money was plenty, the merchants well supplied with goods encouraged the people to buy on a credit; the merchants were forced to this by the great amount of goods on hand and the consequent increased competition amongst themselves in their retail business. They readily credited almost any one up to about the value of his property; and when the debtor was unable to pay they took notes at twelve per cent interest, so that nearly the whole people were indebted more than they were able to pay and to save themselves from being sued for their debts they were forced to pay a ruinous rate of interest on them.

At this session, also, the Mormon charters were totally repealed by the legislature. This was then supposed to be a remedy for all the evils of Mormonism.

State of Illinois a dozen years of effort and the expenditure of millions of dollars. Its construction had a tremendous effect upon the further growth and prosperity of Chicago and Illinois. Somewhere in the great city a fitting memorial to the man whose courage and foresight made its completion possible should long since have been erected.

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In 1844-45 also the legislature undertook various reforms and retrenchments. They passed resolutions calling on the governor and judges to relinquish portions of their salaries secured to them by the constitution. The governor and judges refused. The reply of the judges is too long for insertion here; but I will give my own as it was a shorter document: "A resolution of the two houses has been communicated to me requesting the governor and the judges of the supreme court to relinquish to the State such an amount of their salaries as will be equivalent to 25 per cent thereon, to begin with the year 1845.

"The mere matter of money with me is of but little concern. I could perhaps live as much to my satisfaction upon a little as upon a greater amount. And if I could be left to act freely and voluntarily as befits the incumbent of the executive department, one of the independent co-ordinate departments of the government, equal in its sphere to the legislature in theirs; and if I could be assured of payment in good money for the residue of my salary, no member of the legislature would be more willing than I am to make sacrifices of self-interest at the shrine of patriotism. But before I consent to this I have a right to be assured that whatever sum I do

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agree to receive will be worth something. In fact, I have been acting upon this principle for the last two years, by receiving less salary than was guaranteed by the laws and the constitution. It seems to me that a true economy would consist in providing adequate revenues so as to keep auditor's warrants at par. Everything then for the State could be done cheaper, as in that case no one would have to be shaved by the brokers. I for one would prefer a reduction of salary and thereby save a portion to the State than to suffer loss on auditor's warrants for the benefit of brokers.

“In making these observations I do not intend to be understood as making any kind of promise to relinquish any portion of my salary. This I state for the sake of the principle which I believe is involved in this request of the two houses. I respectfully protest against the right of the legislature to make such a request. There is a principle of constitutional law of free government, of the separation of the powers of government into three departments, of the independence of each one department of the other two, and of the system of checks and balances which all free constitutions must contain, which ought not to allow the governor, even if it were for his advantage, to comply with your



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resolution. The separation of the powers of government into legislative, judicial, and executive departments, and confiding these departments to separate bodies of magistracy so that each may be exercised independently of the other is justly esteemed to be the grandest discovery in the science of government; and the practical operation of this discovery in modern times has done more for human liberty than all other discoveries put together.

“With a view to secure the independence of the executive and judicial departments, the Constitution has provided that the governor and judges shall receive an adequate salary, which shall not be diminished during their continuance in office. It is true that the legislature does not propose a reduction of salaries without the consent of the incumbents nor does the request of your honorable bodies express on its face any threat to extort this consent, but the moral influence of such a request, coming as it does from a numerous assembly, the immediate representatives of the people, and composed of the principal men in the State, it might have been supposed would carry with it something of coercion to a governor and judges anxious for a good understanding with the legislative power and for the good opinion of

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their fellow-citizens. In this mode such a request might amount to coercion. There are other modes of coercion besides the employment of physical force. An appeal to the interests, to the fears, or to the love of popularity inherent in each department may be as efficacious in destroying the balances of the Constitution, as violence itself.

“Considering the matter in this light; feeling my obligation under the Constitution to sustain the independence of the executive department, which I have the honor to represent, and being unwilling from any want of firmness on my part to be accessory to a precedent which I believe is now for the first time attempted in the United States, and which, if followed up, may lead to a consolidation of all power in the hands of a single department, I have felt it to be my duty, at the risk of being misinterpreted and of forfeiting somewhat of the good will of my fellow-citizens, respectfully but firmly to resist this temptation now offered to court public favor, that I may thereby preserve the independence of the executive department.”\*

\*The resolution calling upon the governor and judges to relinquish a portion of their salaries was written by Trumbull and put into the hands of N. W. Nunnally, Senator from Edgar county, to be offered to

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The legislature then, following up these projects for retrenchment, attempted to remove the judges by address, so that whilst the offices of all of them were vacant their salaries could be reduced. They reduced the salaries of all the other officers of the government and of the judges thereafter to be elected; and they agitated a bill all winter to reduce the fees of the county officers. In this mode they lengthened out the session for more than a month, and increased their own pay about twenty thousand dollars whilst they aimed to save several hundred to the public treasury. The rage for economy was great indeed, the members appearing to think that the State debt might be paid off by stealing small sums from the already small salaries of public officers. There are those in matters of government as well as in religion who tythe annis, mint, and cummin and neglect the weightier matters of the law. Accordingly, the members who were the most fierce for this kind of economy had no capacity to see that the canal measure was a great financial measure for the benefit of the whole State, by means of which five millions

the Senate. Mr. Nunnally, instead of making himself popular, as he supposed he would, could not get the privilege from his party of being a candidate for re-election two years afterwards.

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of debt will be paid; a sum greater than could be paid by an eternity of such legislation as was proposed by them. If the State debt is ever paid it will not be done by the puny licks of this description of economisers.

Another subject of interest at this session was the Shawneetown Bank. After the failure of that institution in 1842 the stock in it had been purchased by a company of speculators, who caused themselves to be elected president and directors. After having paid five hundred thousand dollars, it yet owed the State a half a million of dollars for the State stock in it, to be paid in State indebtedness. In anticipation of the passage of the liquidation law of 1842-43 a few favored directors secretly borrowed from it one hundred thousand dollars of its specie with which to purchase State bonds to pay this remaining debt. The money was sent to New York and invested in the purchase of scrip and three hundred and thirty-three thousand dollars of the bonds which had been hypothecated with Macalister and Stebbins in 1841. The reader will remember that \$804,000 of these bonds were hypothecated, upon which the State received \$261,500. The law authorized them to be sold, but not to be hypothecated. The few favored directors in a secret meeting of the

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board paid into the bank \$100,000 of these bonds, then worth thirty cents on the dollar, in discharge of their notes for the \$100,000 in specie previously borrowed. They next paid in another portion of them in discharge of their stock notes; and amongst others Orville Sexton, a member of this legislature and a flaming declaimer against bank corruption, had a note of near \$10,000 paid in this way. The whole sum of bonds, being now the property of the bank or of the private stockholders, were tendered to the governor in the spring of 1844 in payment of the debt from the bank to the State. There were then two reasons why they ought to have been refused. To receive them was to defeat the law for a settlement with Macalister and Stebbins; and it was plain that the State was not bound to pay the full amount of their face. They were accordingly refused. But in the fall of 1844 it became fully known that Macalister and Stebbins would never be able to comply with the law for their relief; that the president of the bank was about to return these bonds to New York; and the bank was so insolvent that if they were permanently rejected and suffered to pass out of its hands and beyond its control the State would never get anything for its half million of stock. To keep the bonds at home, sub-

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ject to the control of the legislature, I entered into a conditional contract with the bank to receive them if the contract was ratified by the legislature. For this prudent and judicious measure I was much abused and denounced at the time by many ultra democrats, who preferred that the State should lose the whole of its stock in this bank than impliedly to sanction the conduct of its officers.

The matter was referred to the committee of the House of Representatives on banks and corporations; of which Dr. Anderson of Lawrence county had been appointed chairman. He was a man who acted partly from spite, but mostly from a selfish policy. He had seen that banks were woefully unpopular with the people; and that many men had successfully ridden the hobby of popular prejudice against them; and he now determined to have his turn of riding also. But there is some art in riding a hobby as well as a horse, and much depends upon the time when you mount it. A man of sagacity discovers a hobby and rides it as long as the popular feeling will carry him; he then throws it aside and gets a new one. The short-lived and variable feelings and prejudices of the public make the life of a hobby a short one. The master spirit rides it only whilst the

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public mind is in an earnest fervor concerning it. He takes it when it is young and active; and when it becomes old and lame he leaves it for another. In this mode he keeps all the time along with the fervor of the popular mind; and this is the true "tide in the affairs of men, which, taken at the flood, leads on to fortune." The people of Illinois were still much against banks; but the day had passed when hatred to banks was the one idea which ruled the popular mind. In the meantime the Texas and Oregon and tariff questions had arisen and the master equestrians had quit the banks for one or the other or all of these. But not so with the small-fry politicians, who never perceive the advantages of a hobby until it is jaded down by other riders who have ridden to distinction upon it; and then they all mount on and if the animal be not already dead they soon exhaust its remaining vitality; and find themselves again trudging along on foot. On this occasion it was pitiable to see Dr. Anderson and the small geniuses of his tribe ungracefully jolting along upon their worn-out nags, mimicking the airs of accomplished equestrians upon their young and mettlesome steeds. Under such influences, it was at first decided by a majority of both houses to be better to lose the whole amount which

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the bank owed to the State than to countenance in the least degree the villainy of its officers by receiving these bonds. The people, however, failed to appreciate the vast merits of these members at the next election. Not over a half dozen of them were re-elected. Dr. Anderson expected to be sent to Congress at least; but failed to get the nomination of his party even for the legislature of 1846, there not being a half dozen men in his county favorable to his re-election. And shortly afterwards in utter rage against the people and the corruptions of the democratic party he shook the dust off his feet as a testimony against them and departed from the State. The legislature afterwards allowed these bonds to be received at forty-eight cents to the dollar, which was a good bargain for the State.

The population of Illinois in 1845, according to the census of that year, amounted to 662,150 souls, being an increase in five years of 183,221.



## Chapter 13

### EXPULSION OF THE MORMONS

1845-1846

THE Mormons next claim our attention. Nauvoo was now a city of about 15,000 inhabitants and was fast increasing, as the followers of the prophet were pouring into it from all parts of the world; and there were several other settlements and villages of Mormons in Hancock county. Nauvoo was scattered over about six square miles, a part of it being built upon the flat skirting and fronting on the Mississippi river, but the greater portion of it upon the bluff's back, east of the river. The great temple, which is said to have cost a million of dollars in money and labor, occupied a commanding position on the brow of this bluff and overlooked the country around for twenty miles in Illinois and Iowa. This temple was not fashioned after any known order of architecture. The Mormons themselves pretended to believe that the building of it was commenced without any previous plan; and that the master builder, from day to day during the progress of its erection, re-

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ceived directions immediately from heaven as to the plan of the building; and really it looks as if it was the result of such frequent changes as would be produced by a daily accession of new ideas. It has been said that the church architecture of a sect indicates the genius and spirit of its religion. The grand and solemn structures of the Catholics point to the towering hierarchy and imposing ceremonies of the church; the low and broad meeting-houses of the Methodists formerly shadowed forth their abhorrence of gaudy decoration and their unpretending humility; and the light, airy, and elegant edifices of the Presbyterians as truly indicate the passion for education, refinement, and polish amongst that thrifty and enterprising people. If the genius of Mormonism were tried by this test, as exhibited in the temple, we could only pronounce that it was a piece of patchwork, variable, strange, and incongruous.

During the summer and fall of 1845 there were several small matters to increase irritation between the Mormons and their neighbors. The anti-Mormons complained of a large number of larcenies and robberies. The Mormon press at Nauvoo and the anti-Mormon papers at Warsaw, Quincy, Springfield, Alton, and St. Louis kept up a continual fire at each other; the anti-Mormons

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all the time calling upon the people to rise and expel or exterminate the Mormons. The great fires at Pittsburg and in other cities about this time were seized upon by the Mormon press to countenance the assertion that the Lord had sent them to manifest his displeasure against the Gentiles; and to hint that all other places which might countenance the enemies of the Mormons might expect to be visited by "hot drops" of the same description. This was interpreted by the anti-Mormons to be a threat by Mormon incendiaries to burn down all cities and places not friendly to their religion. About this time also a suit had been commenced in the circuit court of the United States against some of the twelve apostles, on a note given in Ohio. The deputy marshal went to summon the defendants. They were determined not to be served with process and a great meeting of their people being called, outrageously inflammatory speeches were made by the leaders; the marshal was threatened and abused for intending to serve a lawful process, and here it was publicly declared and agreed to by the Mormons that no more process should be served in Nauvoo.

Also about this time a leading anti-Mormon by the name of Dr. Marshall made an assault upon Gen. Deming, the sheriff of the

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county, and was killed by the sheriff in repelling the assault. The sheriff was arrested and held to bail by Judge Young for manslaughter: though as he had acted strictly in self-defence no one seriously believed him to be guilty of any crime whatever. But Dr. Marshall had many friends disposed to revenge his death, the rage of the people ran very high, for which reason it was thought best by the judge to hold the sheriff to bail for something to save him from being sacrificed to the public fury.

Not long after the trials of the supposed murderers of the Smiths it was discovered on a trial of the right of property near Lima in Adams county, by Mormon testimony, that that people had an institution in their church called a "Oneness," which was composed of an association of five persons, over whom "one" was appointed as a kind of guardian. This "one" as trustee for the rest was to own all the property of the association; so that if it were levied upon by an execution for debt the Mormons could prove that the property belonged to one or the other of the parties as might be required to defeat the execution. And not long after this discovery in the fall of 1845 the anti-Mormons of Lima and Green Plains held a meeting to devise means for the expulsion of the

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Mormons from their neighborhood. They appointed some persons of their own number to fire a few shots at the house where they were assembled; but to do it in such a way as to hurt none who attended the meeting. The meeting was held, the house was fired at, but so as to hurt no one; and the anti-Mormons, suddenly breaking up their meeting, rode all over the country spreading the dire alarm that the Mormons had commenced the work of massacre and death.

This startling intelligence soon assembled a mob. But before I relate what further was done I must give some account of the anti-Mormons. I had a good opportunity to know the early settlers of Hancock county. I had attended the circuit courts there as States-attorney from 1830, when the county was first organized, up to the year 1834; and to my certain knowledge the early settlers, with some honorable exceptions, were, in popular language, hard cases. In the year 1834 one Dr. Galland was a candidate for the legislature in a district composed of Hancock, Adams, and Pike counties. He resided in the county of Hancock, and as he had in the early part of his life been a notorious horse-thief and counterfeiter, belonging to the Massac gang, and was then no pretender to integrity, it was useless to deny the charge.

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In all his speeches he freely admitted the fact, but came near receiving a majority of votes in his own county of Hancock. I mention this to show the character of the people for integrity. From this time down to the settlement of the Mormons there, and for four years afterwards, I had no means of knowing about the future increase of the Hancock people. But having passed my whole life on the frontiers, on the outer edge of the settlements, I have frequently seen that a few first settlers would fix the character of a settlement for good or for bad for many years after its commencement. If bad men began the settlement bad men would be attracted to them, upon the well-known principle that "birds of a feather will flock together." Rogues will find each other out and so will honest men. From all which it appears extremely probable that the later immigrants were many of them attracted to Hancock by a secret sympathy between them and the early settlers. And so it may appear that the Mormons themselves may have been induced to select Hancock as the place of their settlement, rather than many other places where they were strongly solicited to settle, by the promptings of a secret instinct which without much penetration enables men to discern their fellows.

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The mob at Lima proceeded to warn the Mormons to leave the neighborhood and threatened them with fire and sword if they remained. A very poor class of Mormons resided here and it is very likely that the other inhabitants were annoyed beyond further endurance by their little larcenies and rogueries. The Mormons refused to remove; the mob proceeded to burn down their houses; and about one hundred and seventy-five houses and hovels were burnt, the inmates being obliged to flee for their lives. They fled to Nauvoo in a state of utter destitution, carrying their women and children, aged and sick (it was then the height of the sickly season) along with them as best they could. The sight of these miserable creatures aroused the wrath of the Mormons of Nauvoo. As soon as authentic intelligence of these events reached Springfield I ordered Gen. Hardin to raise a force and restore the rule of law. But whilst this force was gathering the sheriff of the county had taken the matter in hand. Gen. Deming had died not long after the death of Dr. Marshall and the Mormons had elected Jacob B. Backenstos to be sheriff in his place. This Backenstos formerly resided in Sangamon county. There he had credit to get a stock of goods, and set up as a merchant. The goods were imme-

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diately transferred to his brother, leaving the debt for them unpaid. Here, too, he became acquainted with Judge Douglas, and here commenced that indissoluble friendship between them which has continued inviolate ever since. Douglas was appointed to hold the courts in Hancock county and Backenstos, having broken up in Sangamon, had gone over to Hancock seeking his fortunes. His brother had already married a niece of the prophet and Backenstos immediately attached himself to the interests of the Mormons. Backenstos was a smart-looking shrewd, cunning, plausible man, of such easy manners that he was likely to have great influence with the Mormons. In due time Judge Douglas appointed him to be clerk of the circuit court and this gave him almost absolute power with that people in all political contests. In 1844 Backenstos and a Mormon elder were elected to the legislature; in 1845 he was elected sheriff, in place of Gen. Deming; and finally, to reward him for his great public services, he was appointed a captain of a rifle company in the United States army. But being just now regarded as the political leader of the Mormons, Backenstos was hated with a sincere and thorough hatred by the opposite party.



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When the burning of houses commenced the great body of the anti-Mormons expressed themselves strongly against it, giving hopes thereby that a posse of anti-Mormons could be raised to put a stop to such incendiary and riotous conduct. But when they were called on by the new sheriff not a man of them turned out to his assistance, many of them no doubt being influenced by their hatred of the sheriff. Backenstos then went to Nauvoo where he raised a posse of several hundred armed Mormons with which he swept over the county, took possession of Carthage, and established a permanent guard there. The anti-Mormons everywhere fled from their homes before the sheriff, some of them to Iowa and Missouri and others to the neighboring counties in Illinois. The sheriff was unable or unwilling to bring any portion of the rioters to a battle or to arrest any of them for their crimes. The posse came near surprising one small squad, but they made their escape, all but one, before they could be attacked. This one, named McBratney, was shot down by some of the posse in advance, by whom he was hacked and mutilated as though he had been murdered by the Indians.

The sheriff also was in continual peril of his life from the anti-Mormons, who daily

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threatened him with death the first opportunity. As he was going in a buggy from Warsaw in the direction of Nauvoo he was pursued by three or four men to a place in the road where some Mormon teams were standing. Backenstos passed the teams a few rods, and then stopping, the pursuers came up within a hundred and fifty yards, when they were fired upon with an unerring aim by some one concealed not far to one side of them. By this fire Franklin A. Worell was killed. He was the same man who had commanded the guard at the jail at the time the Smiths were assassinated; and there made himself conspicuous in betraying his trust by consenting to the assassination. It is believed that Backenstos expected to be pursued and attacked, and had previously stationed some men in ambush to fire upon his pursuers. He was afterwards indicted for the supposed murder, and procured a change of venue to Peoria county, where he was acquitted of the charge. About this time also the Mormons murdered a man by the name of Daubeneyer, without any apparent provocation; and another anti-Mormon named Wilcox was murdered in Nauvoo, as it was believed by order of the twelve apostles. The anti-Mormons also committed one murder. Some of them, under Backman,

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set fire to some straw near a barn belonging to Durfee, an old Mormon seventy years old; and then lay in ambush until the old man came out to extinguish the fire, when they shot him dead from their place of concealment. The perpetrators of this murder were arrested and brought before an anti-Mormon justice of the peace and were acquitted, though their guilt was sufficiently apparent.

During the ascendancy of the sheriff and the absence of the anti-Mormons from their houses the people who had been burnt out of their houses assembled in Nauvoo, from whence, with many others, they sallied forth and ravaged the country, stealing and plundering whatever was convenient to carry or drive away. When informed of these proceedings I hastened to Jacksonville where in a conference with Gen. Hardin, Major Warren, Judge Douglas, and the Attorney-General, Mr. McDougall, it was agreed that these gentlemen should proceed to Hancock in all haste with whatever forces had been raised, few or many, and put an end to these disorders. It was now apparent that neither party in Hancock could be trusted with the power to keep the peace. It was also agreed that all these gentlemen should unite their influence with mine to induce the Mormons

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to leave the State. Gen. Hardin lost no time in raising three or four hundred volunteers, and when he got to Carthage he found a Mormon guard in possession of the court-house. This force he ordered to disband and disperse in fifteen minutes. The plundering parties of Mormons were stopped in their ravages. The fugitive anti-Mormons were recalled to their homes and all parties above four in number on either side were prohibited from assembling and marching over the country.

Whilst Gen. Hardin was at Carthage a convention previously appointed assembled at that place, composed of delegates from the eight neighboring counties. The people of the neighboring counties were alarmed lest the anti-Mormons should entirely desert Hancock and by that means leave one of the largest counties of the State to be possessed entirely by Mormons. This they feared would bring the surrounding counties into immediate collision with them. They had therefore appointed this convention to consider measures for the expulsion of the Mormons. The twelve apostles had now become satisfied that the Mormons could not remain, or if they did, the leaders would be compelled to abandon the sway and dominion they exercised over them. They had now become

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convinced that the kind of Mahometanism which they sought to establish could never be established in the near vicinity of a people whose morals and prejudices were all outraged and shocked by it, unless indeed they were prepared to establish it by force of arms. Through the intervention of Gen. Hardin, acting under instructions from me, an agreement was made between the hostile parties for the voluntary removal of the greater part of the Mormons in the spring of 1846. The two parties agreed that in the meantime they would seek to make no arrests for crimes previously committed; and on my part I agreed that an armed force should be stationed in the county to keep the peace. The presence of such a force and amnesty from prosecutions on all sides were insisted on by the Mormons that they might devote all their time and energies to prepare for their removal. Gen. Hardin first diminished his force to a hundred men, leaving Major Wm. B. Warren in command. And this force being further diminished during the winter to fifty, and then to ten men, was kept up until the last of May, 1846. This force was commanded with great efficiency and prudence during all this winter and spring by Major Warren; and with it he was enabled to keep the turbulent spirit of faction in

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check, the Mormons well knowing that it would be supported by a much larger force whenever the governor saw proper to call for it. In the meantime they somewhat repented of their bargain and desired Major Warren to be withdrawn. Backenstos was anxious to be again left at the head of his posse to roister over the county and to take vengeance on his enemies. The anti-Mormons were also dissatisfied because the State force preserved a threatening aspect towards them as well as towards the Mormons. He was always ready to enforce arrests of criminals for new offences on either side; and this pleased neither the Mormons nor the anti-Mormons. Civil war was on the very point of breaking out more than a dozen times during the winter. Both parties complained of Major Warren; but I, well knowing that he was manfully doing his duty in one of the most difficult and vexatious services ever devolved upon a militia officer, steadily sustained him against the complaints on both sides. It is but just to Major Warren to say here that he gained a lasting credit with all substantial citizens for his able and prudent conduct during this winter. Of General Hardin, too, it is but just to say that his expedition this time had the happiest results. The greater part of the military tract was

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saved by it from the horrors of a civil war in the winter time, when much misery would have followed from it, by the dispersion of families and the destruction of property.

During the winter of 1845-46 the Mormons made the most prodigious preparations for removal. All the houses in Nauvoo, and even the temple, were converted into workshops; and before spring more than twelve thousand wagons were in readiness. The people from all parts of the country flocked to Nauvoo to purchase houses and farms, which were sold extremely low, lower than the prices at a sheriff's sale, for money, wagons, horses, oxen, cattle, and other articles of personal property which might be needed by the Mormons in their exodus into the wilderness. By the middle of May it was estimated that sixteen thousand Mormons had crossed the Mississippi and taken up their line of march with their personal property, their wives and little ones westward across the continent to Oregon or California; leaving behind them in Nauvoo a small remnant of a thousand souls, being those who were unable to sell their property or who, having no property to sell, were unable to get away.

The twelve apostles went first with about two thousand of their followers. Indictments had been found against nine of them in the

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circuit court of the United States for the district of Illinois at its December term, 1845, for counterfeiting the current coin of the United States. The United States Marshal had applied to me for a militia force to arrest them; but in pursuance of the amnesty agreed on for old offences, believing that the arrest of the accused would prevent the removal of the Mormons, and that if arrested there was not the least chance that any of them would ever be convicted, I declined the application unless regularly called upon by the President of the United States according to law. It was generally agreed that it would be impolitic to arrest the leaders and thus put an end to the preparations for removal when it was notorious that none of them could be convicted; for they always commanded evidence and witnesses enough to make a conviction impossible. But with a view to hasten their removal they were made to believe that the President would order the regular army to Nauvoo as soon as the navigation opened in the spring. This had its intended effect; the twelve, with about two thousand of their followers, immediately crossed the Mississippi before the breaking up of the ice. But before this the deputy marshal had sought to arrest the accused without success.



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Notwithstanding but few of the Mormons remained behind after June, 1846, the anti-Mormons were no less anxious for their expulsion by force of arms; being another instance of a party not being satisfied with the attainment of its wishes unless brought about by themselves and by measures of their own. It was feared that the Mormons might vote at the August election of that year; and that enough of them yet remained to control the elections in the county, and perhaps in the district for Congress. They therefore took measures to get up a new quarrel with the remaining Mormons. And for this purpose they attacked and severely whipped a party of eight or ten Mormons which had been sent out into the country to harvest some wheat fields in the neighborhood of Pontoosuc, and who had provoked the wrath of the settlement by hallooing, yelling, and other arrogant behavior. Writs were sworn out in Nauvoo against the men of Pontoosuc, who were arrested and kept for several days under strict guard, until they gave bail. Then in their turn they swore out writs for the arrest of the constable and posse who had made the first arrest, for false imprisonment. The Mormon posse were no doubt really afraid to be arrested, believing that instead of being tried they would be

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murdered. This made an excuse for the anti-Mormons to assemble a posse of several hundred men to assist in making the arrest; but the matter was finally adjusted without any one being taken. A committee of anti-Mormons was sent into Nauvoo, who reported that the Mormons were making every possible preparation for removal; and the leading Mormons on their part agreed that their people should not vote at the next election.

The August election came on shortly afterwards and the Mormons all voted the whole democratic ticket. I have since been informed by Babbitt, the Mormon elder and agent for the sale of church property, that they were induced to vote this time from the following considerations: The President of the United States had permitted the Mormons to settle on the Indian lands on the Missouri river and had taken five hundred of them into the service as soldiers in the war with Mexico; and in consequence of these favors the Mormons felt under obligation to vote for democrats in support of the administration; and so determined were they that their support of the President should be efficient, that they all voted three or four times each for member of Congress.

This vote of the Mormons enraged the whigs anew against them; the probability

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that they might attempt to remain permanently in the country and the certainty that many designing persons for selfish purposes were endeavoring to keep them there revived all the excitement which had ever existed against that people. In pursuance of the advice and under the direction of Archibald Williams, a distinguished lawyer and whig politician of Quincy, writs were again sworn out for the arrest of persons in Nauvoo, on various charges. But to create a necessity for a great force to make the arrests, it was freely admitted by John Carlin, the constable sent in with the writs, that the prisoners would be murdered if arrested and carried out of the city. This John Carlin, under a promise to be elected recorder in the place of a Jack Mormon recorder to be driven away, was appointed a special constable to make the arrests. And now the individuals sought to be arrested were openly threatened to be murdered. The special constable went to Nauvoo with the writs in his hands, the accused declined to surrender. And now, having failed to make the arrests, the constable began to call out the *posse comitatus*. This was about the 1st of September, 1846. The posse soon amounted to several hundred men. The Mormons in their turn swore out several writs for the arrest of

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leading anti-Mormons and under pretence of desiring to execute them called out a posse of Mormons. Here was writ against writ; constable against constable; law against law, and posse against posse.

Whilst the parties were assembling their forces the trustees of Nauvoo being new citizens, not Mormons, applied to the governor for a militia officer to be sent over with ten men, they supposing that this small force would dispense with the services of the civil posse on either side. There was such a want of confidence on all sides that no one would submit to be arrested by an adversary for fear of assassination. This small force it was supposed would restore confidence and order. And here again was a difficulty, who was to be sent on this delicate service. General Hardin, Major Warren, Colonel Weatherford, and Colonel Baker had gone to the Mexican war. These had been the officers upon whom I had relied in all previous emergencies; and they were well qualified for command. And here I must remark that the President in May, 1846 called for four regiments of volunteers from Illinois for the Mexican war. The call was no sooner published in Illinois than nine regiments offered their services. Those of them who were doomed to stay at home were more discon-

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tented than men usually are who are drafted into the armies of their country.

And here too I will remark that the laws do not allow the governor to exercise his own best judgment in selecting the most fit person to command. The militia themselves elect their officers, and all the choice which is left to the governor is to select one already elected. In looking round over the State for this purpose, the choice fell upon Major Parker of Fulton county. Major Parker was a whig and was selected partly for that reason, believing that a whig now, as had been the case before with Gen. Hardin and Major Warren, would have more influence in restraining the anti-Mormons than a democrat. But Major Parker's character was unknown out of his own county. Everywhere else it was taken for granted that he was a democrat and had been sent over to Hancock to intrigue with the Mormons. The whig newspapers immediately let loose floods of abuse upon him, both in this State and in Missouri, which completely paralyzed his power to render any effectual service. The constable's posse refused to give place to him and the constable openly declared that he cared but little for the arrests; by which it was apparent that they intended from the first to use the process of the law only as a

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cover to their design of expelling the Mormons.

The posse continued to increase until it numbered about eight hundred men; and whilst it was getting ready to march into the city it was represented to me by another committee that the new citizens of Nauvoo were themselves divided into two parties, the one siding with the Mormons, the other with their enemies. The Mormons threatened the disaffected new citizens with death if they did not join in the defence of the city. For this reason I sent over M. Brayman Esq., a judicious citizen of Springfield, with suitable orders restraining all compulsion in forcing the citizens to join the Mormons against their will, and generally to inquire into and report all the circumstances of the quarrel.

Soon after Mr. Brayman arrived there he persuaded the leaders on each side into an adjustment of the quarrel. It was agreed that the Mormons should immediately surrender their arms to some person to be appointed to receive them, and to be redelivered when they left the State, and that they would remove from the State in two months. This treaty was agreed to by Gen. Singleton, Col. Chittenden and others on the side of the antis, and by Major Parker and some lead-

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ing Mormons on the other side. But when the treaty was submitted for ratification to the anti-Mormon forces it was rejected by a small majority. Gen. Singleton and Col. Chittenden, with a proper self-respect, immediately withdrew from command; they not being the first great men placed at the head of affairs at the beginning of violence who have been hurled from their places before the popular frenzy had run its course. And with them also great Archibald Williams, the prime mover of the enterprise, he not being the first man who has got up a popular commotion and failed to govern it afterwards. Indeed, the whole history of revolutions and popular excitements leading to violence is full of instances like these. Mr. Brayman, the same day of the rejection of the treaty, reported to me that nearly one-half of the anti-Mormons would abandon the enterprise and retire with their late commanders, "leaving a set of hare-brained fools to be flogged or to disperse at their leisure." It turned out, however, that the calculations of Mr. Brayman were not realized; for when Singleton and Chittenden retired, Thomas S. Brockman was put in command of the posse. This Brockman was a Campbellite preacher, nominally belonging to the democratic party. He was a large, awkward, un-

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couth, ignorant semi-barbarian, ambitious of office and bent upon acquiring notoriety. He had been county commissioner of Brown county and in that capacity had let out a contract for building the court-house, and it was afterwards ascertained had let the contract to himself. He managed to get paid in advance and then built such an inferior building that the county had not received it up to Dec., 1846.<sup>41</sup> He had also been a collector of taxes, for which he was a defaulter, and his lands were sold whilst I was governor to pay a judgment obtained against him for moneys collected by him. To the bitterness of his religious prejudices against the Mormons he added a hatred of their immoral practices, probably because they differed from his own. Such was the man who was now at the head of the anti-Mormons,\* who

<sup>41</sup>This date indicates that this portion of Governor Ford's narrative was written very soon after it.

\*To the credit of the Campbellites I record that after this they silenced Brockman from preaching. Before this time he had frequently been a candidate for office without success. In 1847 he thought he could be elected to the convention to amend the constitution, from Brown county, upon the glory he had acquired in the Mormon wars. He was nominated by a small meeting of democrats; and in a county of one hundred and fifty majority of democrats he was beaten by a whig by upwards of one hundred and twenty-five majority.



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were about as numerous in camp as ever.

After the appointment of Brockman I was not enabled to hear in any authentic shape of the movements on either side until the anti-Mormon forces had arrived near the suburbs of the city and were about ready to commence an attack. The information which was received was by mere rumor of travellers, or by the newspapers from St. Louis. And I will remark that during none of these difficulties have I been able to get letters and despatches from Nauvoo by the United States mail, coming, as it was obliged to do, through the anti-Mormon settlements and post offices.

But soon after the antis had arrived with their force near Nauvoo, and after some little skirmishing, Mr. Brayman came to Springfield with a request for further assistance in defence of the city. It was now too late to call forces from a distance, if they had been ever so willing to come. It was obvious that if any new forces were to be raised they must come from the neighborhood of the conflict. Orders were therefore issued to Major William G. Flood, who was commander of the militia of the adjoining and populous county of Adams, by which he was authorized to raise a sufficient volunteer force in that and the surrounding counties to enforce the ob-

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servance of law in Hancock. It turned out, however, that great excitement existed in Adams and in all the neighboring country, and Major Flood being of opinion that if he raised a force on the part of the State a much larger force would have turned out in aid of the rioters, declined to act.

To meet such a contingency he had been instructed that if inconvenient for himself to act he was to hand over his authority to some person who would act, and who could be elected to the command of the forces thus to be raised. Major Flood, without handing over his authority to any one in Adams county, went to Nauvoo to use his influence with the contending parties for the restoration of peace; but failing in this, he handed over his authority to the Mormons and their allies, who elected Major Clifford to command them. In issuing this order to Major Flood it was not intended to put the Nauvoo volunteers under any different command than what was specified in the orders to Major Parker, as it had already been declared in those orders that the Mormon force, with the exception of the ten men from Fulton county, were to serve without pay. The order to Major Flood was for an additional force, and not to give a different organization to the force already raised. It is my solemn

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conviction that no sufficient force could have been raised to have fought in favor of the Mormons. But there was still another difficulty and every one felt it. No force under our present constitution could more than temporarily have suppressed these difficulties. It has been the practice heretofore for the ring-leaders of rebellion in Hancock to withdraw from the State whenever the State forces were marched over there; and from experience in former trials they had found out that no one could be convicted. The result of former expeditions had been to keep the peace during the presence of the military, but so soon as they disbanded the disorders were renewed. The keeping of the peace, therefore, in that county was some such labor as the work of Sisyphus, who was condemned by the gods throughout eternity to roll a stone up hill and every time he got it nearly to the top it broke loose from him and again came thundering down to the plain below. The former expeditions had shown this to be the case, and now there was a general disposition to let the hostile parties bring matters to a conclusion in their own way; and such was the public prejudice against the Mormons that, ten chances to one, any large force of militia which might have been ordered there would have joined

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the rioters rather than fought in defence of the Mormons.\*

\*It has been asked, How did Governor Wright of New York suppress the riots of the anti-renters in 1846? This is easily answered. The anti-rent riots were less generally popular than the riots of the anti-Mormons. The governor there was better supported by public opinion than the governor of Illinois. He had the power, and he exercised it, to appoint and remove sheriffs and other county officers intended for his assistance; and the laws of New York allowed a criminal to be taken without his consent to a distant county for trial. This last advantage was one worth all the rest.

The history of the law concerning the venue in criminal cases is a curiosity. By the ancient common law the jury was to come from the very town or neighborhood where the crime had been committed; and this was because it was supposed that they had a personal knowledge of the circumstances of the crime, and of the character of the criminal and the witnesses. It was to guard against oppression by assuring the accused of a trial by his neighbors and acquaintances, who, if he were a good man, would know it, and deal more gently with him than strangers would. Afterwards, by statute, the jury was to come from the body of the county. Our State constitution, in imitation of the English law, provides that criminals shall be entitled to a jury of the vicinage, which means the same thing. And yet our law says that no man shall be a competent juror who has formed an opinion as to the guilt or innocence of the criminal. If the juror is not to bring his private knowledge, and his bias in favor of the accused, into the jury, but little good is the privilege of having a jury from the vicinage likely to do the prisoner. He might just as well be taken to some other county and tried by strangers as to be tried by strangers in his own county. It is true

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that the law of Illinois allows the accused to remove his trial for prejudice in the judge or inhabitants, but the State has no right to remove the case without the consent of the prisoner. One of the complaints urged against me, and some men who held themselves out, but rather falsely pretend to be lawyers, have made it, is, that I did not take the Mormon and anti-Mormon prisoners to some foreign county to be tried. Some thought they ought to have been taken before the supreme court and others before the United States court at Springfield, as if either of these courts had the slightest particle of power to try them. Before I heard of these complaints I was not aware that there was so much stupid ignorance in the country, particularly among men who pretend to be lawyers.

There is now no doubt but the power to change the venue in criminal cases, which the constitution of New York vested in the supreme court, to be exercised at discretion, has operated well in all cases of local excitement; and probably saved a war with England, which was likely to grow out of the trial of McLeod for the murder of Durfee and burning the *Caroline* steamboat on the Niagara frontier.<sup>42</sup>

<sup>42</sup>In the autumn of 1837 a rebellion against the government was started in Upper Canada (now Ontario). Some of the rebels sought refuge from the authorities on Navy Island in the Niagara River, where American sympathizers supplied them with food and other assistance. The steamer *Caroline* was utilized in this service, and to end it Canadian troops crossed to the American shore, seized and fired the *Caroline* and set her adrift to be carried downstream to complete destruction. In the melee Amos Durfee, an American citizen, was killed. Somewhat later on McLeod, a British subject, was captured in New York and placed on trial for the killing of Durfee, against which the

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But to return to Gov. Wright. Being supported by public opinion, he put down the anti-renters and protected the property of the wealthy. In return for this favor the wealthy men, at an election a few months afterwards, united with the anti-renters and helped them put Governor Wright down. Governor Wright did all he could to secure the conviction of murderers and assassins amongst the anti-renters, who had raised a rebellion against the laws of property. The men of property immediately helped the anti-renters to defeat Governor Wright's second election, and to elect a man who was pledged to pardon these same murderers and cut-throats out of the penitentiary.

The next extensive riot against property in the United States is not likely to be quelled so easily. Public men will hereafter remember the fate of Governor Wright. They will be apt to remember that active efforts against the rioters will make enemies of them without making friends elsewhere. Upon the whole this example of the men of property uniting with the miserable faction of anti-renters to put down such a man as Gov. Wright is one of the worst signs of the times.

The forces under Brockman numbered about 800 men; they were armed with the State arms, which had been given up to them by independent militia companies in the adjacent counties. They also had five pieces of six-pounder iron cannon belonging to the State, which they had obtained in the same

British government protested. The incident provided a leading case of the difficulty arising from the division of authority between State and Federal governments, under our existing American system.

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way. The Mormon party and their allies, being some of the new citizens under the command of Major Clifford, numbered at first about two hundred and fifty, but were diminished by desertions and removals before any decisive fighting took place to about one hundred and fifty. Some of them were armed with sixteen-shooting rifles—which experience proved were not very effective in their hands—and a few of them with muskets. They had four or five pieces of cannon, hastily and rudely made by themselves out of the shaft of a steamboat.

The Mormons and their allies took position in the suburbs about one mile east of the temple, where they threw up some breastworks for the protection of their artillery. The attacking force was strong enough to have been divided and marched into the city on each side of this battery, and entirely out of the range of its shot; and thus the place might have been taken without firing a gun. But Brockman, although he professed a desire to save the lives of his men, planted his force directly in front of the enemy's battery, but distant more than half a mile; and now both parties commenced a fire from their cannon, and some few persons on each side approached near enough to open a fire with their rifles and muskets, but

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not near enough to do each other material injury.

In this manner they continued to fire at each other at such a distance and with such want of skill as that there was but little prospect of injury until the anti-Mormons had exhausted their ammunition, when they retreated in some disorder to their camp. They were not pursued, and here the Mormon party committed an error, for all experience of irregular forces has shown that however brave they may be, a charge on them when they have once commenced a retreat is sure to be successful. Having waited a few days to supply themselves anew with ammunition from Quincy, the antis again advanced to the attack, but without coming nearer to the enemy than before, and what at the time was called a battle was kept up three or four days, during all which time the Mormons admit a loss of two men and a boy killed and three or four wounded. The antis admitted a loss on their side of one man mortally, and nine or ten others not so dangerously wounded. The Mormons claimed that they had killed thirty or forty of the antis. The antis claimed that they had killed thirty or forty of the Mormons, and both parties could have proved their claim by incontestable evidence if their witnesses had been credible.



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But the account which each party renders of its loss ought to be taken as the true one, unless such account can be successfully controverted. During all the skirmishing and firing of cannon it is estimated that from seven to nine hundred cannon balls and an infinite number of bullets were fired on each side, from which it appears that the remarkable fact of so few being killed and wounded can be accounted for only by supposing great unskilfulness in the use of arms, and by the very safe distance which the parties kept from each other.

At last, through the intervention of an anti-Mormon committee of one hundred from Quincy, the Mormons and their allies were induced to submit to such terms as the posse chose to dictate, which were that the Mormons should immediately give up their arms to the Quincy committee and remove from the State. The trustees of the church and five of their clerks were permitted to remain for the sale of Mormon property, and the posse were to march in unmolested and to leave a sufficient force to guarantee the performance of these stipulations.

Accordingly the constable's posse marched in with Brockman at their head, consisting of about eight hundred armed men and six or seven hundred unarmed, who had assem-

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bled from all the country around from motives of curiosity, to see the once proud city of Nauvoo humbled and delivered up to its enemies and to the domination of a self-constituted and irresponsible power. They proceeded into the city slowly and carefully, examining the way from fear of the explosion of a mine, many of which had been made by the Mormons by burying kegs of powder in the ground, with a man stationed at a distance to pull a string communicating with the trigger of a percussion lock affixed to the keg. This kind of a contrivance was called by the Mormons a "hell's half acre." When the posse arrived in the city the leaders of it erected themselves into a tribunal to decide who should be forced away and who remain. Parties were despatched to hunt for Mormon arms and for Mormons and to bring them to the judgment, where they received their doom from the mouth of Brockman, who there sat a grim and unawed tyrant for the time. As a general rule the Mormons were ordered to leave within an hour or two hours; and by rare grace some of them were allowed until next day, and in a few cases longer. The treaty specified that the Mormons only should be driven into exile. Nothing was said in it concerning the new citizens, who had with the Mormons defended the city.

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But the posse no sooner obtained possession than they commenced expelling the new citizens. Some of them were ducked in the river, being in one or two instances actually baptized in the name of the leaders of the mob, others were forcibly driven into the ferry boats to be taken over the river before the bayonets of armed ruffians; and it is believed that the houses of most of them were broken open and their property stolen during their absence. Many of these new settlers were strangers in the country from various parts of the United States who were attracted there by the low price of property, and they knew but little of previous difficulties, or the merits of the quarrel. They saw with their own eyes that the Mormons were industriously preparing to go away, and they knew of their own knowledge that an effort to expel them with force was gratuitous and unnecessary cruelty. They had been trained in the States from whence they came to abhor mobs and to obey the law, and they volunteered their services under executive authority to defend their town and their property against mob violence, and as they honestly believed from destruction. But in this they were partly mistaken for although the mob leaders, in the exercise of unbridled power, were guilty of many enormities to the

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persons of individuals, and although much personal property was stolen, yet they abstained from materially injuring houses and buildings. The most that was done in this way was the stealing of the doors and the sash of the windows from the houses by somebody; the anti-Mormons allege that they were carried away by the Mormons, and the Mormons aver that the most of them were stolen by the anti-Mormons.

In a few days the obnoxious inhabitants had been expelled, the warlike new citizens with the rest. This class of citizens had strong claims to be treated with more generosity by the conquerors; but a mob, and more especially the mob leaders, inflamed with passion, exasperated by a brave resistance, their vulgar souls seeing no merit in the courage of adversaries, are not apt to show them much favor in the day of success and triumph. The main force of the posse was now disbanded. Brockman returned home. But before he returned, whilst his men were doubly intoxicated with liquor and by the glory of their victory, one hundred of them volunteered to remain to prevent the return of those who had been expelled, or who had fled knowing that they would be forced away and otherwise cruelly treated if they remained to face their conquerors. These, of

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course, were the lowest, most violent, the least restrained by principle of all the anti-Mormons. The most of them were such vagabonds as had no home anywhere else, no business or employment, and for that reason were the readiest to stay. The posse was finally diminished to about thirty men under Major McCalla, and continued to exercise all the powers of government in Nauvoo, committing many high-handed acts of tyranny and oppression and, as they said, some acts of charity to the suffering women and children, until they heard that a force was coming against them from Springfield.

In the meantime the Mormons had been forced away from their homes unprepared for a journey. They and their women and children had been thrown houseless upon the Iowa shore, without provisions or the means of getting them, or to get away to places where provisions might be obtained. It was now the highest of the sickly season. Many of them were taken from sick beds, hurried into the boats, and driven away by the armed ruffians now exercising the power of government. The best they could do was to erect their tents on the banks of the river and there remain to take their chance of perishing by hunger or by prevailing sickness. In this condition the sick, without

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shelter, food, nourishment, or medicines, died by scores. The mother watched her sick babe without hope until it died; and when she sunk under accumulated miseries it was only to be quickly followed by her other children, now left without the least attention; for the men had scattered out over the country seeking employment and the means of living. Their distressed condition was no sooner known than all parties contributed to their relief; the anti-Mormons as much as others.

Some of the new citizens who had been driven away had several times attempted to return to look after their property, and were each time driven away with more violence than they were before. The people of the State looked upon these outrages with calm indifference. A few here and there were anxious that something should be done to put an end to them. But such persons were generally moderate men who, because they are not violent themselves, dislike violence in others; and for the same reason, although they desire something to be done, yet never do anything to aid the authorities of the State. These moderate men, if force is necessary to put down force, are always the last whose services can be obtained; and yet they are always the readiest to find fault with the

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government which they have failed to assist. They are the first to call upon the governor for prompt action, but the last to bring him any aid; and very many of them tremble at the mere idea of venturing their popularity in such an enterprise. Let no public man in times of excitement depend upon moderate men for support; nor can he in such times justly expect to be supported in moderate measures. All violence is wrong; the moderate course is the right one; the violent men support their measures with energy; the moderate men let theirs perish for want of support. In such a contest a very few, a dozen violent men, are worth a thousand of the moderates. The moderate party never give any efficient support to their leaders. They will coldly approve if, upon a very careful and curious looking into matters, what has been done suits them in the manner and amount of it exactly; but if not suited to the eighth of an inch then they are not sparing in their censure. This is true not only as to excitements which lead to civil war, but as to all excitements attending the contests of party. And it is for this reason that ambitious politicians are always driven to violent courses, to extreme measures, and to eschew all moderation. They know that they can depend upon the men of violence

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and action for support. And they know, as La Fayette might have known, that the moderate men never give a support worth anything to any one. The wealthy, who stand most in need of protection against violence, very rarely ever volunteer to put it down; most frequently leaving the laws to be enforced, if enforced at all, by obscure men; and many times by such persons as have no business of their own or care for the stability of law and government. Such men as these are the readiest to volunteer in a popular service; some volunteer without considering the merits of the cause; and in civil broils, as they change their minds with the changing winds and have the election of their own commanders, their attachment to the one or the other side is not always to be relied on. Now, as long as the wealthy substantial citizen refuses his aid, the support of government rests upon such feeble helps as these.

But the people had now waked up to reflection; they had seen a mob victorious over the government of the people. The government in a large district was actually put down and trodden under foot. They were willing that the Mormons might be driven away; but they had not anticipated the outrages which followed. A reaction



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took place, and such is the inconstancy of popular feeling that men who were before outrageous against the governor for making any, even an abortive effort to extend a scanty assistance to an oppressed people, were now no less clamorous against him for not raising a force before one could possibly be raised; and they even went so far as to require that martial law should be declared; and that the rioters should be hung without trial or judgment. Thus they thought that mob violence might be put down by the illegal mob violence of government; and were in favor of converting the government into a mob to put down mobocracy.

There is a vague feeling among the people in favor of martial law on such occasions. I can find no authority in the constitution or anywhere else for the enforcement of martial law outside the lines of a military encampment. The civil law is above the military. But when the civil law shall be utterly disregarded and trampled under foot; when the people become wholly unfit for self-government; when anarchy and disorder shall be forced to give place to despotism; when our forms of government shall be utterly overthrown and abandoned as experiments which have failed, the first dawnings of the reign of tyrants most likely will be preceded by

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proclamations of martial law, not for the government of armies, but for the government and punishment of a people at once rebellious and deserving to be slaves. The general sentiment in favor of martial law and the disorders calling it forth are fearful evidences of a falling away from the true principles of liberty. Ever since Gen. Jackson on some great occasions, when the fate of half the country was at stake, "*took the responsibility,*" the country has swarmed with a tribe of small statesmen who seem to think that the true secret of government is to set it aside and resort to mere force upon the occurrence of the smallest difficulties. It may be well enough on great occasions to have one great Jackson; but on every small occasion no one can imagine the danger of having a multitude of little Jacksons. Jackson's example is to be admired rather than imitated; and the first may be done easier and safer than the last.

Government was obliged to wait for a change in the feelings of the people. As soon as this change was manifested one hundred and twenty men were raised in and near Springfield, and with this small force the governor started to Hancock. Before this force arrived there, it had increased to the number of two hundred. The motive for

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going over this time was to restore to their homes about sixty families of new citizens, not being Mormons, who had been driven away from their property, most of which had been stolen during their absence. The Mormons could not have been persuaded to return on any terms. The governor had no expectation of being resisted by the great body of antis, although he had attempted to bring some of them to justice for their crimes; yet were they notoriously indebted to him for being recalled to their homes when driven away by the sheriff and his Mormon posse. He had been mainly instrumental in inducing the great body of Mormons to leave the State; he had effectually aided in protecting the county revenue from being collected and most probably squandered by the sheriff, whose only securities were Mormons about to leave the country; he had also given effectual assistance in preventing the Mormon county court from running the county in debt thirty or forty thousand dollars to pay the Mormon posse under Backenstos; and he had, for the space of seven months, obstinately refused to recall Major Warren's force stationed in Hancock for their protection, though their recall was daily insisted upon by the strongest of the governor's political friends. During all this

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time, he had the anti-Mormons at his mercy; during the dead, cold winter, when their expulsion from their homes would have ruined them. It was only necessary to recall the military and restore the charge of keeping the peace to the sheriff.

But the antis did not feel the least grateful for any of the good which had been done them. They remembered only the evil. It appeared that if they had any gratitude it consisted alone in a lively expectation of future favor. Indeed, during the whole winter that the governor was protecting them in their homes and keeping their lives in their bodies they never ceased cursing and abusing him. But the governor had done these things because they were right, and was too sensible a man to expect any thanks; and they are now mentioned, not to complain, but to illustrate a truth in matters of government, which is this: that he who will preserve the confidence and affection of a faction must be with it every time, through right and wrong. This course the governor is not at liberty to take in a civil war, where both parties seek to trample the government under foot, and where both of them in turn may need restraint. And yet if he does not take one side and keep it, no allowance is made for his position; he is judged of as an

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individual factionist would be; he is charged with being first on one side and then on the other, and on every side; just as if he had no public duty to perform, but was at liberty to take sides in the quarrel like a private man.

Very much to his astonishment, when the governor arrived in Hancock the anti-Mormons were exceedingly bitter against him. Brockman was sent for; the leaders assembled, and now commenced a series of the most vexatious proceedings. They could hardly find words strong enough to express their unaffected surprise and astonishment at the impudence of the governor and the people of other counties in interfering, as they called it, in the affairs of Hancock. So far had the mob-scenes which they had passed through beclouded their judgments and so far had they imitated the Mormons in their modes of thinking that they really believed that the people of Hancock had some kind of government and sovereignty of their own, and that to interfere with this was to invade their sacred rights. In their long, bitter, and angry contest with the Mormons they had acquired most of the vices of that people, being hurried on by the intensity of bad passions to imitate their crimes, that they might be equal to them in the contest.

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This is one of the inevitable effects of long-continued faction; and accordingly the presence of the Mormons for six years in that part of the country has left moral blotches and propensities to crime, a total dissolution of moral principle among the remaining inhabitants, which one generation passing away will not eradicate, and perhaps will never be effectually cured until they learn by long and dire experience that the way of the transgressor is hard.

After the arrival of the governor in the county two public meetings were held by the antis, one in Carthage and one in Nauvoo; at both of which it was resolved that they would do nothing whilst the State forces remained; but believing that this force could be kept up only for a short time, they solemnly determined to drive out the proscribed new citizens as soon as the volunteers were withdrawn. As yet they were not aware of the change of opinion against them; they supposed that the people were universally in their favor; and were as arrogant as a mob usually is when they believe themselves able to triumph over their government. Our little force encamped at Nauvoo on the north side of the great temple, protected to the north by a high stone wall. And whilst here our sentinels were fired upon from a tavern

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near by, kept by a man who had recently kept a house in Illinois town as a place of refuge for the rogues in St. Louis, when hard pressed by the police. At this tavern \*\*\*\*\*  
the murderer of Durfee; \*\*\*\*\*  
a swarthy, grim and sanguinary tyrant; \*\*\*\*\*  
fresh from the Quincy jail on a charge of rape; \*\*\*\*\*  
who had lately kept a livery stable in St. Louis for the sale of stolen horses; and Van Tuyl, an old, wornout, broken-down, democratic New York politician, took their stand as the anti-Mormon committee of the county to watch our movements. The lines of the encampment were immediately extended so as to include this tavern; martial law was declared, and the inhabitants within the lines of the encampment were notified that if the firing was repeated the offender would be shot or hung, according to the sentence of a court-martial, and that the house itself would be demolished by the artillery. The shooting was not repeated.

Here a laughable matter occurred with a constable and Irish justice of the peace, lately elected by the antis to replace those who had been driven away. These dignitaries broke through the line of sentinels and were put under arrest; but upon giving their word to be forthcoming in the morning to answer for their intrusion they were dis-

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charged. Instead of returning to their houses they repaired to the tavern, and having reinforced their courage by additional quantities of liquor they came again to the lines, offering to bribe the sentinels to spike our cannon. They were again arrested and kept until next morning, when Major George R. Weber, now in command, appointed a court-martial to try them. The Irish justice relied much upon his power and consequence as a magistrate, and wanted to be exceedingly noisy and disorderly during the trial. Major Weber ordered him to keep silence until called upon to speak. This the indignant dispenser of justice refused, with a proud swell of importance. With some force Major Weber, taking him by the shoulders, squat him down in a corner; but the magistrate, rising, and still insisting upon his dignity and right to make a noise, was knocked down twice in succession by Major Weber before he could be forced to keep silence. The magistrate and constable were then condemned to be drummed around and out of the camp to the tune of the rogue's march, which was done in good style one very pretty morning. Such a creature as this magistrate was the governor forced by the laws of the State to commission as a justice of the peace; and such officers as these did the anti-



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Mormons elect to assist him in keeping the peace.

During our stay here Captain Robert Allen, with parts of his company and others, to the number of forty-four men, volunteered to make a secret expedition in the night to Carthage in search of the State arms, having previously gained intelligence that a large number were concealed in that village. The antis had stationed a committee near us to watch our movements, and as Capt. Allen's men marched on foot intelligence of their coming was conveyed to Carthage and the arms removed to some other place of concealment before their arrival. Whilst this was going on Major Weber, going the rounds outside of the camp, discovered one of the anti-Mormon committee acting as a spy, lying upon a wall, looking into the camp, and tried to arrest him. Major Weber aimed to make the arrest without the taking of life and instead of shooting only struck at him with his pistol. This furnished a new pretext for the old trick of calling out the civil posse against us. Writs were sworn out not only for the arrest of Major Weber, but also for Capt. Allen for stopping some persons in the streets of Carthage whilst searching for arms. These writs were intended to be made the foundation of another call for the posse

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and for our expulsion from the county. The effort was made, but the mob party failed to enlist more than two hundred and fifty men. We had diminished ours by discharges to one hundred and twenty. But the mob hesitated to attack us without five or six times our number, and accordingly abandoned their design of making the arrests.

After staying in the county seventeen days, being in no danger except from secret assassins, having made diligent search for the five pieces of cannon and other arms belonging to the State without success; and as our officers and men published in a hand-bill on the ground, having forced the assassins and cut-throats there to endure the presence of the exiled citizens, the principal part of the force was disbanded. Major Jackson and Captain Connelly were left with fifty men to remain until the 15th of December, 1846, before which day the legislature was to assemble, and it was expected that the cold of the winter would by that time put an end to the anti-Mormon agitations. This expectation was realized. Nothing puts an end to the continued enterprises of a mob sooner than the cold of winter.

We did not think it worth while to arrest any one for previous riots, knowing as we did that the State could not change the trial to

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any other county and that no one could be convicted in Hancock. In fact the antis made their boasts that as they were in the entire possession of the juries and all civil officers of the county no jury could be obtained there to convict them. If Brockman or others had been arrested no justice of the peace would have committed them for trial; if they had been committed they would have been turned loose by the sheriff or the mob. And if they had chosen to stand their trial they were certain not to be convicted. An effort to arrest and prosecute these men would have resulted only in another triumph of the mob over government. In fact there was no way to punish them, as former trials had shown, except by martial law; and this course was utterly illegal. The governor believed that he could not declare martial law for the punishment of citizens without admitting that free government had failed; and assuming that despotism was necessary in its place. He believed that to proceed in such cases by martial law was to overturn the government, institute monarchy, and make himself a dictator. If he erred in this it was an error springing from attachment to the principles of civil liberty. Many were they who wondered that the governor did not do something to punish these men; and

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held him responsible just as if he actually possessed the power of government; just as if he possessed the power of appointing and removing all the civil and military officers in the disaffected region, who being independent of the governor set up authority against authority; and just as if he had a standing army at command, or with his single arm could make the people put down the people. Let his administration be what it may in these difficulties, yet it illustrates the principle which most of all I desire to illustrate in this history; which is, that government is naturally forced to be a type of the people over whom it is instituted. The people are said to be the masters and public officers the servants, and such is the fact; but with this fact let it be remembered that wherever the relation of master and servant exists the proverb of "like master like man" will apply. If the people will have anarchy there is no power short of despotism capable of forcing them to submission; and the despotism which naturally grows out of anarchy can never be established by those who are elected to administer regular government. If the mob spirit is to continue it must necessarily lead to despotism; but this despotism will be erected upon the ruins of government, and not spring out of it. It has been

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said that one great party in this country is secretly in favor of monarchy. If this were true that party could not sooner or more effectually accomplish their purposes than to lend their aid in creating a necessity for it. Let them but encourage "every man to do that which seemeth good in his own eyes" and God will give them a king, as he gave one to the Jews for the hardness of their hearts. This simple quotation from Scripture is a vivid description of anarchy; of that state of disorder when men will consent to be slaves rather than without the protection of government; when men fly from the tyranny and misrule of the many-headed monster for protection to the despotism of one man. The giving of a king to the Jews is referred to as a special providence of God. But it is a fundamental law of man's nature from which he cannot escape that despotism is obliged to grow out of general anarchy, as surely as a stone is obliged to fall to the earth when left unsupported in the air. Without any revealed special providence, but in accordance with this great law of man's nature, Cromwell rose out of the disorders of the English revolution; Charles the Second was restored to despotism by the anarchy which succeeded Cromwell; and Bonaparte came forth from the misrule of republican France. The peo-

## Expulsion of the Mormons

ple in all these cases attempted to govern; but in fact did not. They were incapable of self-government; and by returning to despotism admitted that they needed a master. Where the people are unfit for liberty; where they will not be free without violence, license, and injustice to others; where they do not deserve to be free, nature itself will give them a master. No form of constitution can make them free and keep them so. On the contrary, a people who are fit for and deserve liberty cannot be enslaved.

## Chapter 14

### CRIME AND VIOLENCE IN MASSAC COUNTY

1846

**W**HILST the Mormons and their adversaries were at war in the county of Hancock a little rebellion, less in numbers but equal in violence, was raging in the county of Massac on the Ohio river. It has heretofore been mentioned that an ancient colony of horse-thieves, counterfeiters, and robbers had long infested the counties of Massac and Pope. They were so strong and so well combined together as to insure immunity from punishment by legal means. In the summer of 1846 a number of these desperadoes attacked the house of an aged citizen in Pope county and robbed him of about \$2,500 in gold. In the act of committing the robbery one of them left behind a knife made by a blacksmith of the neighborhood, by means of which he was identified. This one being arrested and subjected to torture by the neighboring people, confessed his crime and gave the names of his associates. These again being arrested, to the number of a dozen, and some of them

## Crime, Violence in Massac County

being tortured, disclosed the names of a long list of confederates in crime scattered through several counties. The honest portion of the people now associated themselves into a band of regulators and proceeded to order all suspected persons to leave the country. But before this order could be enforced the election for county officers came on in August, 1846 and those who were suspected to be rogues all threw their votes one way and, as it was asserted, thereby insured the election of a sheriff and other officers in the county of Massac who were opposed to the proceedings of the regulators, and not over zealous in enforcing the laws. The county of Massac gave about five hundred votes and out of these John W. Read, the successful candidate for sheriff, received about three hundred majority. His opponent was a wealthy citizen and, as it appeared, not very popular, but his influence over his friends was almost unlimited. There was another unsuccessful candidate for county clerk of the same description. These two put themselves at the head of their friends in Pope and Massac. And being assisted by large numbers from Paducah and Smithland in Kentucky, they proceeded to drive out and punish all suspected persons and to torture them to force them to confess and dis-



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close the names of their confederates. By this means the numbers implicated in crime were increased every day. The mode of torture applied to these people was to take them to the Ohio river and hold them under water until they showed a willingness to confess. Others had ropes tied around their bodies over their arms, and a stick twisted into the ropes until their ribs and sides were crushed in by force of the pressure. Some of the persons who were maltreated in this way obtained warrants for the arrest of the regulators. These warrants were put into the hands of the sheriff, who arrested some of the offenders; but the persons arrested were rescued out of jail in a short time by their friends. Shortly after this the regulators ordered the sheriff and county clerk, together with the magistrate who issued the warrants, to leave the country, under the penalty of severe corporal punishment. It appears that by means of torture and bribery some notorious rogues had been induced to accuse the sheriff, the county clerk, and the magistrate of being members of the gang of robbers; and it was upon this pretext that they were ordered to leave the country.

In this condition of things application was made in August, 1846 to the governor for a militia force to sustain the constituted au-

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thorities of Massac. This disturbance being at a distance of two hundred and fifty miles from the seat of government and in a part of the country between which and the seat of government there was but very little communication, the facts concerning it were but imperfectly known to the governor, for which reason he issued an order to Brigadier-General John T. Davis of Williamson county to examine into it, and if he judged it necessary, to call out the militia. Gen. Davis proceeded to Massac, called the parties together, and, as he believed, induced them to settle their difficulties; but he had no sooner left the county than violence broke out afresh. The regulators came down from Pope and over from Kentucky and drove out the sheriff, the county clerk, the representative-elect to the legislature, and many others; they committed actual violence by whipping a considerable number, and threatened summary punishment to every one, rogue or honest man, who spoke against their proceedings. This is the great evil of lynch law. The lynchers set out with the moderate and honest intention of exterminating notorious rogues only. But as they proceed they find opposition from many honest persons who can never divest themselves of the belief that the laws of the country are amply suf-

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ficient for the punishment and prevention of crime. The lynchers then have to maintain their assumed authority in opposition to law and regular government, and they are apt to be no less arbitrary and violent in so doing than tyranny generally is in maintaining its pretensions. For this reason they think they must crush all opposition, and in this mode that which at first was merely a war between honest men and rogues is converted into a war between honest men alone, one party contending for the supremacy of the laws and the other maintaining its own assumed authority.

Not long after these events the circuit court was held for Massac. Judge Scates delivered a strong charge to the grand jury against the proceedings of the regulators; the grand jury found indictments against a number of them. Warrants were issued upon the indictments; quite a number were arrested by the sheriff and committed to jail. The regulators assembled from Kentucky and the neighboring counties in Illinois with the avowed intention of releasing the prisoners. They threatened to lynch Judge Scates if he ever returned again to hold court in Massac; and they ordered the members of the grand jury and the witnesses before them to leave the country under pain of corporal punish-

## Crime, Violence in Massac County

ment. The sheriff set about summoning a posse to secure his prisoners, to resist the regulators, and to maintain the authority of government. But now was the reign of terror indeed. The regulators by their violence had struck terror into all moderate men, who, although they disapproved of their proceedings, were afraid to join the sheriff for fear of being involved in the fate of the horse-thieves. These moderate men who disapproved of the proceedings of the regulators were in a majority of three to one in the county; but such is the inefficiency of moderate men that one bold daring man of violence can generally overawe and terrify a dozen of them. For this reason the sheriff failed to raise a force among the reputable moderate men of the county and was joined only, for the most part, by sixty or seventy men who had been ordered to leave the country, many of whom were known to be notorious rogues.

The regulators marched down to Metropolis city, the county seat of Massac, in much greater force. A parley ensued between the sheriff's party and the regulators; and it was finally agreed that the sheriff's party should surrender under a promise of exemption from violence. The regulators then took possession of the jail, liberated

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their friends confined in it, carried several of the sheriff's posse along with them as prisoners, and murdered some of them by drowning them in the Ohio river. The sheriff and all his active friends were again ordered to leave, and were driven out of the country.

The sheriff, the representative to the legislature, and another gentleman then proceeded to see the governor, who was then at Nauvoo in Hancock county with a military force endeavoring to reinstate the exiled citizens of Hancock. As he was now within twenty days of the expiration of his office he was loath to begin measures with the Massac rioters which he feared might not be approved or pursued by his successor. Besides this, from all former experience he was perfectly certain that it would be entirely useless to order out the militia for the protection of horse-thieves. He well knew that the militia could not be raised for such a purpose. He therefore issued an order to Dr. William J. Gibbs of Johnson county authorizing him to call upon the militia officers in some of the neighboring counties for a force to protect the sheriff and other county officers, the magistrates, the grand jury and the witnesses before them, and the honest part of the community. Dr. Gibbs proceeded to Massac, and calling to his assistance two

## Crime, Violence in Massac County

justices of the peace, he required the regulators to come before them and establish their charges so that he could know who were and who were not rogues, to be put out of the protection of law. The regulators declined appearing before him, wherefore the doctor adjudged that there were no rogues in Massac county and that all were entitled to protection against the regulators. He proceeded to call for the militia of Union and other counties; but notwithstanding the doctor had adjudged that there were no rogues in Massac the militia knew to the contrary, and as was foreseen by the governor the militia refused to turn out for their protection. Thus the regulators were again left undisputed masters of the county. They now assembled themselves together, caught a number of suspected persons, and tried them by a committee; some were acquitted, others convicted, and were whipped or tarred and feathered. The numbers implicated with the counterfeiters increased rather than diminished. Many persons who had before been considered honest men were now implicated, which increased the excitement. Many who were formerly in favor of the regulators now left them and disapproved of their conduct. The one party was called Regulators, the other Flatheads.

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A party of about twenty regulators went to the house of an old man named Mathis to arrest him and force him to give evidence of the guilt of certain persons of the neighborhood, and of some who had been inmates of his house. He and his wife resisted the arrest. The old woman, being unusually strong and active, knocked down one or two of the party with her fists. A gun was then presented to her breast, accompanied by a threat of blowing her heart out if she continued her resistance. She caught the gun and shoved it downwards, when it went off and shot her through the thigh. She was also struck several blows on the head with the gun-barrel, inflicting considerable wounds, knocking her down in her turn. The party captured the old man Mathis and carried him away with them, since which time he has not been heard of, but is supposed to have been murdered. The regulators say that the shooting of the old lady was accidental. She made the proper affidavit for the purpose of having the perpetrators of the crime arrested. The proper authorities succeeded in arresting about ten of them. They were carried to the Metropolis house in Metropolis city and there placed under a guard while search was made for the old man Mathis, who was desired as a witness against the

## Crime, Violence in Massac County

prisoners. The news of their arrest having gone abroad, it was rumored all over the country that the Flatheads intended to put them to death if they failed to convict them. This brought out a large force of regulators for the avowed purpose of rescuing the prisoners. They marched to Metropolis city, where they found the sheriff with a party about as numerous as their own. Various attempts to compromise the difficulty without the effusion of blood were made; but this could be effected only by the unconditional release of the prisoners. After getting their friends from the sheriff's party the regulators arrested several of the sheriff's guards and delivered them to the Kentuckians to be dealt with as they saw proper. In attempting to arrest one man they fired at him twice without injury, when he surrendered; and as he was led down stairs he was stabbed from behind by one of the regulators; and he having screamed murder in consequence of his wound, a Methodist preacher who commanded one of the regulating companies exclaimed, "Now they are using them as they should be."\* The wounded man was said to be respectable, and upon good authority was represented to be an honest, indus-

\*See volume of Illinois Reports for 1846-47, p. 96, Senate Documents.



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trious young man. The man who stabbed him had before had a personal difficulty with him and sought this means of getting revenged. Thus it is when regular government is prostrated and the laws trampled under foot, apparently for the best of purposes, men will avail themselves of the prevalent anarchy to revenge their private quarrels; in a short time the original purpose for which force is resorted to will be forgotten; and instead of punishing horse-thieves and robbers those who drop the law and resort to force soon find themselves fiercely contending to revenge injuries and insults, and to maintain their assumed authority.

The prisoners taken away by the Kentuckians were mostly suspicious characters; one of them resided in LaSalle county near the Illinois river, but had resided several months at Metropolis in settling the affairs of an estate, and whose only offence was that he had taken an active part in arresting and securing the prisoners just now released. He was tied, together with the other prisoners, and all of them taken off towards Paducah. Letters were received from the regulators by their friends in Springfield in which they gave an account of what they had done with several of these persons. They wrote that several of them had gone to Arkansas, by

## Crime, Violence in Massac County

which was understood that they had drowned their prisoners in the Ohio river and left their bodies to float with the current in the direction toward Arkansas. On the 23d of December, 1846 a convention of regulators from the counties of Pope, Massac, and Johnson met at Golconda and ordered the sheriff of Massac, the clerk of the county court, and many other citizens to leave the country within thirty days. The sheriff and many others left the country and were absent all winter. The new governor and the legislature then in session were busy all winter in devising measures to suppress these disturbances; but nothing effectual was done. The legislature passed a law, the constitutionality of which was doubted by many, authorizing the governor when he was satisfied that a crime had been committed by twenty persons or more to issue his proclamation; and then the judge of the circuit was authorized to hold a district court in a large district embracing several counties. By this means it was sought to evade the constitution and take the trial out of the county where the crime was committed, against the will of the accused. In other words, it was believed that in this indirect mode the State could entitle itself to a change of venue in criminal cases against the

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will of the prisoner. Our former experience had abundantly showed that when crimes had been committed by powerful combinations of men the guilty never could be convicted in the counties in which the crimes had been committed. I have never learned whether any proceedings have taken place under the law; but so it is, no one has yet been punished; the disturbances in Massac have died away. And whether they died away naturally, being obliged like everything else to come to an end, or whether the rioters were deterred by the provisions of the foregoing act of the legislature is unknown to the author.

In the conclusion of this history the author must be permitted to indulge in a slight retrospection of the past. In 1842, when he came into office, the State was in debt about \$14,000,000 for moneys wasted upon internal improvements and in banking; the domestic treasury of the State was in arrears \$313,000 for the ordinary expenses of government; auditors' warrants were freely selling at a discount of fifty per cent; the people were unable to pay even moderate taxes to replenish the treasury, in which not one cent was contained even to pay postage on letters to and from the public offices; the great

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canal, after spending five millions of dollars on it, was about to be abandoned; the banks, upon which the people had relied for a currency, had become insolvent, their paper had fallen so low as to cease to circulate as money, and as yet no other money had taken its place, leaving the people wholly destitute of a circulating medium and universally in debt; immigration to the State had almost ceased; real estate was wholly unsaleable; the people abroad, terrified by the prospect of high taxation, refused to come amongst us for settlement; and our own people at home were no less alarmed and terrified at the magnitude of our debt, then apparently so much exceeding any known resources of the country. Many were driven to absolute despair of ever paying a cent of it; and it would have required but little countenance and encouragement in the then disheartened and wavering condition of the public mind to have plunged the State into the irretrievable infamy of open repudiation. This is by no means an exaggerated picture of our affairs in 1842.

In December, 1846, when the author went out of office, the domestic debt of the treasury, instead of being \$313,000 was only \$31,000, with \$9,000 in the treasury; auditors' warrants were at par or very nearly so;

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the banks had been put into liquidation in a manner just to all parties, and so as to maintain the character of the State for moderation and integrity; violent counsels were rejected; the notes of the banks had entirely disappeared and had been replaced in circulation by a reasonable abundance of gold and silver coin and the notes of solvent banks of other States; the people had very generally paid their private debts; a very considerable portion of the State debt had been paid also; about three millions of dollars had been paid by a sale of the public property and by putting the bank into liquidation; and a sum of five millions more had been effectually provided for to be paid after the completion of the canal; being a reduction of eight millions of the State debt which had been paid, redeemed, or provided for whilst the author was in office. The State itself, although broken, and at one time discredited and a by-word throughout the civilized world, had to the astonishment of every one been able to borrow on the credit of its property the further sum of \$1,600,000 to finish the canal; and that great work, at one time so hopeless and so nearly abandoned, is now in a fair way of completion.

The people abroad have once more begun to seek this goodly land for their future

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homes. From 1843 until 1846 our population rapidly increased; and is now increasing faster than it ever did before. Our own people have become contented and happy; and the former discredit resting upon them abroad for supposed wilful delinquency in paying the State debt no longer exists.

It is a just pride and a high satisfaction for the author to feel and know that he has been somewhat instrumental in producing these gratifying results. In this history he has detailed all the measures of the legislature which produced them; and if these measures did not all originate with him, he can rightfully and justly claim that he supported them with all his power and influence and has faithfully endeavored to carry them out with the best ability he could command. For so doing he has had to encounter bitter opposition to his administration; and enmities have sprung up personally against himself which he hopes will not last forever. For although he wants no office, yet is he possessed of such sensibility that it is painful to him to be the subject of unmerited obloquy; and for this reason, and this alone, he hopes that when those of his fellow-citizens who disapproved of his administration in these particulars have time to look into the merits of these measures and see how they have

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lifted the State from the lowest abyss of despair and gloom to a commanding and honorable position among her sisters of the Union, they will not remember their wrath forever.

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